

NAACP Enters Custody Case

Asks Court to Return Child to Mixed Pair

NEW YORK — The fight of a mother and a grandmother over custody of a six-year-old girl shaped up as an important civil rights case this week, as the NAACP filed a brief as friend of the court in the appeal of Mrs. Anne S. DeCarava for reversal of a lower court's order taking her child away from its mother and colored stepfather.

The child's grandmother, Mrs. Mollie Portnoy, won custody by charging that the girl was neglected because of her mother's "Communist" activities.

(1) Her mother sent her to nursery school instead of caring for her personally; (2) the mother engaged in "Communist" activity three years ago; (3) the child would not receive a proper education as a Jewish child; and (4) she would be forced to live in an "undesirable" neighborhood.

Allegations Baseless

After careful investigation of the record in the case, NAACP attorneys indicated that the "Communist" allegations were uncorroborated, and that the only basis for the court's decision was that the mother's second husband, Roy DeCarava, is colored and that the family lives in an interracial neighborhood.

Asserting that the child lived happily with her mother and stepfather, the NAACP maintains that "by taking away custody of her child, the Court takes away the liberty of the family to exist as a unit and punishes efforts at interracial harmony and democratic living."

Civil-Rights Body Set Up By Truman

Group To Seek Ways To Curb Discrimination

From Wire Dispatches

Key West, Dec. 3.—President Truman set up a new federal committee today to help outlaw discrimination against Negroes and other minorities in hiring by Government contractors.

Truman described the action as a new step in his civil-rights program, a program that has embroiled him in a bitter running fight with many elements in the traditionally Democratic South.

The President announced at his quarters here that the new body—less powerful than the Fair Employment Practices Committee of World War II—will seek ways of strengthening the enforcement of antidiscrimination clauses which are standard in Government contracts.

Reaction to Truman's action came swiftly.

Benton Praises Order

"What's the President trying to do—divert the public's attention from Caudle?" demanded Senator Fulbright (D., Ark.). He referred to T. Lamar Caudle, the ousted assistant attorney general who is being quizzed in a House investigation of tax-collection scandals. Fulbright told a reporter in Washington he hadn't heard any complaints of noncompliance with the antidiscrimination rules.

Senator Benton (D., Conn.) promptly praised the new order, however, saying discrimination in many states is causing a "staggering and needless loss in defense production."

"Today, as in World War II," Benton said, "evidence is mounting of failure efficiently to use millions of members of minority groups in the skills for which they have been trained."

Clarence Mitchell, director of the Washington bureau, National Association for the Advancement of Colored People, said:

"We are disappointed because of the weakness and lack of enforcement powers in this executive order. However, we must work to make the most of it and at the same time seek ways of strengthening it."

Truman To Name Six

Presidential Secretary Joseph Short said Truman would name within a week six public members to serve with representatives of five Government contracting agencies on the new "Committee on Government Contract Compliance."

The committee, Short said, will be along the lines of the Fahy Committee, set up to fight racial and religious discrimination in the armed services, rather than the controversial F.E.P.C. of World War II. F.E.P.C. had authority to issue cease-and-desist orders.

The new committee will be in the nature of an over-all policy agency co-operating with contracting agencies. Heads of the Government agencies will continue to have responsibility for seeing that there is compliance with the nondiscrimination provision.

Had Heard Complaints

Short and Phileo Nash, White House expert on minority and civil-rights complaints, who helped draft the order, said there had been complaints of violation of the antidiscrimination clause by some contractors.

In a statement describing his action as another step in the use of his executive powers to eliminate discrimination, the President referred to antidiscrimination measures in federal civil employment and in the armed services.

"In fulfilling a contract with the Federal Government, a contractor should follow the national policy of equal treatment and opportunity," he said.

Truman has declined to say whether he will be a candidate for re-election next year. But he has said the entire Fair Deal program, which includes his civil-rights proposals, will be a part of the state-of-the-Union message he will deliver to Congress in January.

Party Split Over Issue

It was chiefly over the civil-rights proposals, and F.E.P.C. legislation in particular, that various Southern segments of the Democratic Party broke with Truman in 1948 in the Dixiecrat schism of that year. Truman lost four Southern states. There

are rumblings of a similar revolt next year.

In fact, Senator George (D., Ga.) saw today's action as an indication Truman "may be preparing to run for President again."

"I know of no reason why he should have done that," said George, a conservative Southerner who, however, stayed with the party during the States' Rights revolt.

"The only thing I can make of it is that it looks like he may be preparing to run for President again," George said. "I will oppose it (the antidiscrimination order), naturally."

Impeachment Suggested

Horace Wilkinson, Birmingham State's Rights leader who was one of the first to bolt the Democrats in 1948 over the civil-rights platform, said:

"This is another effort on the part of Truman to usurp, overrule, and override. This is adequate grounds for impeachment, but I don't think there is anyone in Washington with guts enough to institute the proceedings."

Says Truman Will Shelve Rights Fight

WASHINGTON — The Democratic Policy Committee will "undoubtedly" shelve the Civil Rights program of President Truman at the first Congressional Session of 1952 which convenes in January, according to a statement made by Senator Robertson, Democrat, of Virginia.

Robertson expressed his confidence in the southern senators' use of the filibuster to block any attempt of President Truman's Civil Rights Bill to get attention in the House, despite the intentions of a Senate Labor subcommittee to hold hearing on the first step of the bill, the Fair Employment Practices Commission. The bill, expected to be brought before the House in January, is headed by Senator Humphrey, Democrat, of Minnesota.

"Practical politicians know only too well that there are 20 southern senators who will fight to the last ditch against having rammed down their throats a legislative program that is both unconstitutional and economically and socially unsound," said Robertson.

In his statement, Robertson

predicted: Truman to ask for another tax increase; a controversy over the continuation of the wage-price control which expires on June 30, 1952; and a substantial cut in domestic spending, an unpleasant issue to deal with in the Federal Budget.

While commenting on his predictions, Robertson said, that the income tax had already reached its limits, so it would be unfavorably received by Congress. He called the wage-price controls, check-dams, which does nothing to eliminate the cause of inflation, but contended that they should be continued until the "emergency" is over.

Robertson asserted that "a reduction in domestic spending would prove 'helpful.'"

Byrd Criticizes Truman Order On Civil Rights

Senator Calls Act an Attack on States' Power; Battle in Congress Is Predicted

Washington, Dec. 4 (AP).

Sen. Harry F. Byrd, D., Va., today denounced President Truman's new civil rights order as a step in a program aimed at "destroying all the authority of the states."

Sen. Byrd's criticism was directed at today's Presidential executive order creating a committee to eliminate any racial or religious discrimination in defense production under government contract.

The Senator, already on record against another term for Mr. Truman, told reporters the new order is "an additional reason for the opposition of those who want to preserve our form of government." The executive order, he said, is "right in line with what the President has been trying to do through legislation."

"Having been unable to get his civil rights bill passed by Congress, he now has gone as far as he could by executive order," he added.

A leader of the Southern opposition to the President's civil rights program, Sen. Byrd said he sees little chance for enactment of the legislation at the next session of Congress convening in January.

Sen. J. William Fulbright, D., Ark., said earlier that if the F.E.P.C. order issued by Mr. Truman is enforced "in a political way" it may interfere with defense production.

But if the President should be re-elected he would regard that as a mandate for civil rights in 1953, Sen. Byrd declared.

He said the South's opposition to Mr. Truman's program is not a matter of civil rights, "but a matter of destroying all the authority of the states." He added that the controversy "transcends the racial issue."

South Still Fighting Against Civil Rights

BY JEWEL CARTER

WASHINGTON—(ANP)—A bitter fight is shaping up in the nation's capital over President Truman's civil rights program. When Congress reconvenes next month, southerners will be ready to battle civil rights proponents as never before. This is the picture of the most recent check among congressmen on the issue.

An open fight on the floor of both houses is likely to be avoided, according to plans of strategists of the opposing bloc. The plan of the Democrats is to block consideration of any civil rights legislation on the floor by killing proposals in committee.

Senator Robertson, Virginia Democrat, said last week that the Senate Democratic Policy Committee would "undoubtedly pigeon-hole civil rights legislation at the next session."

The Virginian, like his colleague, Senator Byrd, is a foe of the civil rights program. Since 1952 is an election year, Robertson predicted that Mr. Truman will renew his request for enactment of civil rights laws.

Expressing his views on Mr. Truman's civil rights program here last week, Senator Robertson asserted:

"Practical politicians know only too well that there are 20 Southern senators who will fight to the last ditch (against) having rammed down their throats for purposes of political expediency a legislative program that is both unconstitutional and economically and socially unsound."

Northern Democrats To Put Soft Pedal On Civil Rights In 1952 Platform

Washington, D. C. — Although certain Northern colored leaders who have been in the forefront of the fight to get a particular brand of Civil Rights Laws passed and have concluded that the one and only way to get their pet measure through congress was to go solid for the Truman Democrats, the indications now are that not even by relying upon President Truman will they be able even to get their Civil Rights ideas incorporated in the 1952 platform of the Democrats.

The popular excuse the colored leaders now are coming up with as they note all factions of the Democrats getting together to propose a "mild" Civil Rights bill is that the Southern Democrats are standing in the way of Mr. Truman and the Northern party leaders in their effort to promise and to pass Civil Rights laws "with teeth in them."

A brief review of the effort to pass Civil Rights Laws, and particular Fair Employment Bill with "teeth in it" will show that the colored leaders have only themselves to blame for the failure to get any kind of law passed at all. They failed to take into consideration the political hurdles a drastic FEP Bill would have to overcome: a Democratic platform committee and knowledge of how progress in liberalism has been made, down through the years, in the United States. It has been made by give and take compromises.

At the 1948 Democratic Convention, the party leaders, headed by Senator McGrath of Rhode Island wrote a Democratic platform that was mild on Civil Rights but was a near approach to the liberal 1944 Republican platform on which Gov. Dewey ran for President and which was written by a platform committee of which Senator Robert A. Taft was Chairman.

But the colored leaders fell in behind the Hon. Hubert Humphrey then Mayor of Minneapolis and he succeeded in doing a remarkable thing in a political convention. He got the delegates, in a floor fight, to repudiate the Democratic platform committee and substitute a more radical plank.

The more radical plank won but it was a sort of Pyrrhic victory for Mr. Humphrey. It caused the entire South to stage a revolt against the nomination of President Truman and to support powerful Senator Richard B. Russell of Georgia for President.

Senator Russell got the delegate votes of 10 of the 17 "Solid South" States, losing only the 22 votes of Mississippi, and this only because Mississippi delegates got up and walked out of the convention.

Had the South's Democrat stalwarts continued the revolt against Mr. Truman into the November election of that year they would have defeated him for President. Despite the claim of holding a "balance of power" up North, the colored Democrats were unable to deliver anything like the number of electoral votes that the Solid South had. The colored Democrats were not able to save for Mr. Truman any of the Northern States where they boasted so loudly of holding the whip hand. New York, New Jersey, Pennsylvania, Michigan, Indiana, and even Maryland which the colored leaders said were "their States," went solidly into the Dewey column, thanks to the militant work Republicans did, and included among the "militants" was a splendid contingent of colored Republican leaders.

Not even Mr. Truman now credits the colored leaders who forced upon the party the insurgent Civil Rights platform planks of 1948 with having been decisive in his election. It is plain now that Mr. Truman himself is "in the know" as the Northern white leaders of the party, including Senator Hubert Humphrey, are working overtime to stem the revolt of the Southern Democrats, now led by Gov. Byrnes of South Carolina and a Senator Byrd of Virginia.

The outlook is for a Democratic platform just about like the one that the committee had prepared for the 1948 Democratic National Convention, but which, amid great hurrahs, Mr. Humphrey & Co. got rejected by a vote of 651 1/2 to 582 1/2, with Mr. Truman's State of Missouri and Mr. Barkley's State of Kentucky both voting against the Humphrey proposals while the

states that were certain to go Republican in November, furnished the insurgents their 69 majority.

CIVIL RIGHTS UP AGAIN AS AN ELECTION ISSUE

James P. E. T.
Truman Hands It to Congress, Which
Is Preparing to Renew Struggle

By WILLIAM S. WHITE

Special to THE NEW YORK TIMES

WASHINGTON, Dec. 8—The harshest political issue in recent American history, the Truman civil-rights program, is rising again and great disputes may be expected when Congress reconvenes in January.

The President's action in a quite moderate sense has renewed the challenge to his Southern opposition. He set up a new committee to try to see that in Federal work (encompassing about a fifth of the national economy) there is no discrimination for reasons of race or religion in hiring men.

This, of course, is the present lesser approach to the old Roosevelt-Truman ideal, a Fair Employment Practices Commission. In Mr. Truman's view at least, such a group ought to have the power to enforce its sanctions and not merely to use persuasion for them.

President Truman's action has not satisfied the Negro and other minority organizations that for years have been pressing for a compulsory F. E. P. C.; nor has it really embittered the bulk of the Southerners in the Senate. It has been a symptomatic action, and not decisive in itself.

The promulgation of the Presidential order simply set into renewed motion an old and passionate controversy, the end of which is not even remotely in sight.

The Struggle Remains

The essential Southern position does not seriously question the power of a Chief Executive to make employment regulations for any sort of Federal work; it directly challenges only attempts at changes by law in the whole field of civil rights.

Thus the order from Key West, where the President is on holiday, did not change the essential script of the drama but only had the effect of a prompter's cue.

Two sides in the Senate, which are not nearly so antithetical as might be supposed, now rather wearily marshal for another test which both, apart from certain exceptions, would like to avoid.

The present prospect is that the civil-rights proponents will try to proceed in two ways. They will try to bring out of committee one or another of the civil-rights bills—a compulsory F. E. P. C., a measure knocking out the poll tax in Southern states, or perhaps one making lynching a Federal crime.

And then—and this is far more pertinent to the position at the moment—they will attempt to persuade the Senate to alter its closure or "gag" rule to make it more nearly possible than it now to put down the Southern filibuster that so long has killed the civil-rights bills before they could come to a vote.

Each enterprise appears, on all the information available now, to be profoundly difficult. To change the Senate rule on closure would be to change something that with great exertion had been changed only two years ago. At that time, after much anguish, it was decided to make the "gag" rule applicable whenever sixty-four of the ninety-six Senators so voted and to impose it on "motions" to take up something as well as on the subject-matter itself.

The 64-Vote Question

This evolution had one result that was welcomed by the civil-rights forces, and one that was not. It did put at least under theoretical closure a parliamentary area that had not been before subject to closure at all—that is, the area of "motions" to consider something. On the other hand it laid down a hard blueprint in requiring the signatures of sixty-four Senators, whereas before only two-thirds of those voting were re-

quired. History has not suggested that it is easy, or even reasonably possible, to obtain sixty-four signatures.

As to bringing up a civil-rights bill itself, that feat is so rare of accomplishment—apart from the second necessity of quenching a filibuster if such a bill is actually brought forward—as to give proponents of the program little hope.

Such hope as they have, in fact, is based upon the circumstance that 1952 is a campaign year and on the circumstance much noted by national politicians that the right-wing Southern revolt against Mr. Truman in the 1948 Democratic convention in Philadelphia seemed actually to have helped him in the national sense by the outpouring of Negro voters that it brought him—an outpouring which, in some urban areas at least, was greater than any any given even to Mr. Roosevelt.

Compromise Impracticable

There will be, in this situation, a good many offers of compromise. Some of the more conservative Republicans, who privately view a compulsory F. E. P. C. with extreme distaste, probably will be willing to settle for the persuasive variety.

Some of the border state Democrats would go this far. The Southerners would fight even such a compromise, though not with the implacability they would show toward a mandatory arrangement. It is entirely plain, however, that powerful minority groups will not accept such an accommodation. Compromises, therefore, may be assumed to be out for all practicable purposes.

The sensitive and dedicated on both sides—and there are many, in spite of the observable fact that there are others who are commonly suspected among their colleagues of mere demagoguery—are not happy at this state of affairs.

In the first place, there is far more in common between, say, Senator Hubert Humphrey of Minnesota and the Southern leader, Senator Richard B. Russell of Georgia, than between two such Republican Senators as William E. Jenner of Indiana and Leverett Saltonstall of Massachusetts.

Sympathy for Russell

In the second place, even among the more advanced civil-rights leaders there is a certain unspoken

sympathy for the position of those like Senator Russell who for a great deal of the time follow the liberal line but find it quite impossible to carry on with such as civil rights.

Finally, there has been up to this point a disinclination among most of the Southern chieftains in Congress to see repeated in 1952 the Southern bolt from the national Democratic ticket that cost it four of the Southern states in the election of 1948.

The moderates among them tell their friends that an all-out civil rights fight next year will put them under almost intolerable home pressure to join again in

something resembling the States Rights movement of four years ago.

Still, the struggle is a fated one. Clearly, it comes; and the partisans go into it, for the most part, as somberly as they do in determination. Nearly every politician agrees that the platforms of the two parties in 1952 will have to speak out rather firmly on this issue.

Two Convicted In Civil Rights Case

COLUMBIA, Tenn.—(SNE)—On the charge of depriving Negroes of their civil rights, two prominent Maury County white men were convicted in a U. S. Court. They were Paul Brown and Joe Colagross; Brown a money-lender and operator of a cab firm and Colagross, a constable. Each was sentenced to serve a year in prison and were fined—Brown \$1,000 and Colagross \$900.

It was charged that the two men had collaborated in a loan scheme to extort money from Negroes. Some of the borrowers involved testified that they paid Brown at an interest of 25 per cent.

They were specifically charged with the violation of Section 242 of the Federal Code in connection with the cases of seven Negroes. Colagross was found guilty of nine separate counts of conspiracy in the jailing of the Negroes without due process of law.

Both convicted men are residents of Mt. Pleasant. The trial which lasted a week, drew wide attention in the community and elsewhere.

Civil rights officer may lose passport

NEW YORK, Dec. 26—(AP)—The Civil Rights Congress says its executive secretary, William L. Patterson, has been asked by the United States Embassy in Paris to surrender his passport.

Patterson is in Paris reportedly waiting for the United Nations General Assembly to reconvene after the holidays so he might seek a hearing on a statement he released Monday charging the U. S. with policy of genocide towards Negroes.

Aubrey Grossman, organization secretary of the congress, said yesterday that Patterson had advised him in a message that he refused to surrender his passport.

The Civil Rights Congress is on the U. S. attorney general's list of subversive organizations.

The Right to Be An Electrician

IAST week's directive from the Connecticut Commission on Civil Rights to the International Brotherhood of Electrical Workers (AFL) to admit two Negroes to Hartford's Local 35 is an important landmark in the long fight for the Negro's right to be an electrician.

For as long as we can remember the International Brotherhood of Electrical Workers has violated the Sherman anti-trust law as a combination in restraint of trade by barring from its membership all persons with Negro ancestry.

Operating as a monopoly throughout the country it has prevented all but a few Negroes here and there from making a living in the well-paid electrical work, even though as Americans they presumably had a right to be electricians.

The state's Civil Rights Commission (IREPC) dictate can be appealed to the Superior Court, but it is unlikely to be reversed because the discrimination is so flagrant and so long-standing.

The commission found that "No Negroes have ever been admitted into the union. The union admits that the complainants were excluded, but claims that their exclusion was justified. It contends that the complainants did not meet the eligibility requirements established by the local union for their admission as apprentices, first, because they were too old, second, because they were not sponsored by an employer."

Here we have again the old run-around: i.e., the Negro cannot join the union because he has not been an apprentice and no one will train him as such because he wouldn't be admitted to the union anyway because he is non-white. Again, the union will not accept him as a member because no boss will sponsor him, and no boss will sponsor him because they all have closed shop contracts with the union on pain of being struck.

The commission brushed off the union's claim thusly:

The union has given preference to sons and other relatives of members. The inbreeding which such nepotism nurtures may discriminate against some white persons, but Negroes are thereby excluded from membership absolutely. The evil created by arbitrary admission practices is that they permit the very discrimination which the act seeks to prevent.

It further pointed out that "the union did not act" on the applications of the two Negroes "nor did it inform the complainants of its failure to act."

This was not the first time, either, that the union had failed to act on the membership applications of Negroes.

If the State of Connecticut stands adamantly behind its Civil Rights Commission, Local 35 of Hartford, will have to admit Negroes to membership and so will all of the other locals in that highly industrial state; but in doing so they will be violating the constitution of the International Brotherhood of Electrical Workers, which will have to be amended if they are to continue to operate.

This would seem to indicate that the end of this racket is rather close all over the United States because clearly a union must have the same constitution for all locals, regardless of locality.

This important forward step in Connecticut is another clear evidence of the efficacy of obtaining state rather than Federal action.

There are now eight populous and industrially potent states having laws similar to that of Connecticut and where presumably the same kind of action can be taken against such labor union rackets as the International Brotherhood of Electrical Workers.

In the meantime a Federal fair employment law seems more remote than ever.

CRC Head Ordered Back To America

WASHINGTON—(A. N. P.)— The United States embassy in Paris has been instructed by the Department of State to have William L. Patterson, executive secretary of the Civil Rights Congress, to surrender his passport.

Patterson is in Paris reportedly waiting for the United Nations General Assembly to reconvene after the holidays, so he might seek a hearing on a statement released on Christmas Eve, in which the United States has been charged with a policy of genocide toward Negroes.

The statement was perhaps based on information contained in Patterson's new book on genocide in the United States.

A spokesman from the State Department admitted that Patterson had been ordered to surrender his passport to prevent further travel in Europe, but it would be made valid for his return to the States.

The Department of State would not reveal reasons for invalidating Patterson's passport.

Passports can be issued for use over a period of two years. It was learned that Patterson made this trip to France on a passport which had been obtained at some previous time but was still valid.

The Department of State would not give definite information whether Patterson will be ordered back to the State immediately, or if he will be permitted to stay in Paris long enough to meet with the General Assembly.

No member of the Civil Rights Congress could be reached in Washington for comment.

Extension Of Remarks By Byrd On Truman

[This is the partial text of the Byrd speech. Its length (7,700 words) precluded full use despite its importance. However, much of it was a repetition of Byrd's Atlanta speech.—Ed.]

IT GIVES me a great deal of pleasure to speak to you today on the subject, "The Truth At Washington, Affecting the South, As I See It."

It is a privilege to bring Virginia's greetings to Alabama. Perhaps more than any other two states in all the Union, Virginia and Alabama—who shared the capitol of the Confederacy—have great mutual affection and admiration.

At the outset I wish to say I have no ambition for political advancement. In electing me to public service for more than a third of a century, the people of Virginia have honored me far more than I deserve.

I hope you will forgive the personal references. They are made to nail down the differences between the Democratic Party of Jefferson and the prevailing heterogeneous crowd of Trumanites which, if it could be called a party, is one of questionable ancestry, irresponsible direction, and predatory purposes.

Fiscal Irresponsibility

If the American democracy is destroyed, it will be the result of fiscal irresponsibility of which Trumanites are guilty and which, even now, is being exploited—

¶ By Trumanites who would lead us into socialism,

¶ By Trumanites who would demolish individual custom and state and local governments and centralized all power and purse control in Washington, and

¶ By Trumanites who would feed their lust and greed at the trough of centralized power and purse.

The deficit will mount to \$18 billion in fiscal year 1953 beginning on the first of next July.

We shall be piling up federal debt at this rate despite \$15 billion in new taxes piled upon us in three tax bills enacted during one year. And now revenue experts in Congress believe we have reached the bottom of the tax barrel.

The aggregate [expenditures] for the next two years may go as high as \$175 billion, short of all out war. That is to say, with no greater war than we have now, in five years 1950-1954, inclusive, we shall actually spend \$315 billion to \$330 billion.

Of this total, strictly non-defense, domestic, civilian expenditures will amount to more than \$50 billion, exclusive of all outlays for military and military related items, such as atomic energy, exclusive of all veterans items, exclusive of all foreign aid items and exclusive of in-

terest on the debt.

The new rates of the combined three tax bills are so oppressive they can not be maintained for more than a temporary period. Defense Mobilizer Charles E. Wilson, a successful business man, testified before the Senate finance committee that American business can not continue to be vital and dynamic in the free enterprise system under the tax burden we have just levied. He suggested that 1955 may be as long as it can be absorbed.

The phoney, self-styled economists who chart the course for the Truman Fair Deal party continue to tell us that there is nothing wrong with a huge federal debt so long as we owe it to ourselves.

This debt is definitely ours—every individual of us.

Under the circumstances it is natural to ponder the question of when does a nation become insolvent. It seems to me that a democracy is approaching insolvency when (1) we are unable to pay current costs of government over a prolonged period with taxes short of confiscation and diminishing returns, and (2) the constant cheapening of the dollar as a result of government operations. If these are the symptoms, it would appear that the diagnosis of our present and prospective fiscal situation is unmistakably clear.

All present signs indicate an engulfing global war is not in the Russian plans for the immediate future. On the other hand their strategy seems to be a protracted period of international tension, studded with isolated disturbances, civil wars, guerrilla clashes and subversive operations.

In either event it is absolutely necessary that our military defenses should be made impregnable, and, as in the past, I shall continue to support this endeavor to the hilt.

If we are on the verge of national bankruptcy, or insolvency, as many believe we are, and if we must bear tremendous military costs as an essential to survival, what are the alternatives?

More taxes, as the President demands? Taxes are already perilously high with diminishing returns in both revenue and production on the horizon.

Deficit financing? Besides the problems of financing and managing a debt of more than a quarter of a trillion dollars and all the other treacherous aspects of debt, more of it is bound to generate more inflation which in itself will further undercut what little financial and economic stability there is left.

Reduction in non-essential expenditures? This of course is the only sane, responsible and constructive alternative. But there is no reason to expect Truman Fair Deal Democrats to slaughter the cow they are milking, or to be safe, sane, responsible or construc-

Socialism

A trend toward socialism is inherent in continued deficit spending, increasing debt and the resulting economic and social dislocations, including inflation, and mounting taxes.

These factors create demands for controls. Controls require more controls and finally the pattern becomes so intricate it breaks down in confusion.

Prices rise and an inflation spiral sets in.

There is demand for additional taxes to halt inflation, and finally taxes reach a point of diminishing returns, suffocating the profit incentive of our free enterprise system in the process.

Then comes temptation to socialize the necessities of life, such as security in old age and employment, schools, food, housing, medicine, and finally the source of livelihood—business and agriculture.

The President says it is an insult to the intelligence of the American people to say this country is on the road to socialism. I submit it is an insult to our intelligence to assume that we do not realize adoption of the President's program will commit us irrevocably to a socialized state from which there is no retreat.

To socialize the roofs over our heads, our health, and the food we eat, means we have adopted socialism.

Socialism and free enterprise cannot live under the same roof. England thought they could, but to her sorrow she has found it is impossible.

Just last week England, with momentous effort, decided to attempt the road back.

England is repenting, but she cannot unscramble the eggs that have been broken.

You cannot turn socialism and the welfare state on and off like a spigot.

England embarked on socialism with her eyes open. The Labor government admitted that their election would mean socialism, and it did.

Here in America we are being led into socialism through the back door.

Much could be said about England's tragic decline under Labor government socialism, but Winston Churchill, himself, graphically sums it up as follows:

"The past six years have marked the greatest fall in rank and stature of Britain in the world since the loss of the American colonies 200 years ago."

With the example of England before us, the United States would be the most stupid nation in the world to allow socialism to be forced upon us through the Truman Fair Deal, or otherwise.

Only 70 Britons in all England have net annual incomes, after taxes, of more than \$16,800. Only 320,000 Britons have net incomes from \$2,500 to \$4,000.

Civil Rights

For our efforts to preserve constitutional democracy we are slugged with the civil rights club.

On July 25 Senator Hubert Humphrey of Minnesota, for himself and for Senators Benton of Connecticut, Douglas of Illinois, Lehman of New York, Magnuson of Washington, Morse of Oregon, Murray of Montana, Neely of West Virginia, and Pastore of Rhode Island, introduced seven bills in block. Together, these bills constitute one tremendous nullifying blast at the whole field of accepted principles in our representative democracy.

So-called civil rights bills have been introduced before, but never has such a mass invasion of states rights been attempted.

These seven bills would extend the area of unconstitutional legislation affecting the lives and liberties of our people.

They are aimed directly at the South, and it is time for us to understand the full implication in the selection of Senator Humphrey as their chief sponsor and spokesman.

I assert that Senator Humphrey was deliberately selected by the President of the United States to introduce this legislation, and deliberately chosen by the President to be his civil rights mouthpiece on the floor of the Senate.

I assert that this champion of this infamy, hypocrisy, and reprisal has more influence with the President of the United States than any Democratic Southern senator, and this assertion is made notwithstanding the fact that great Democratic leaders from the South are chairmen of the Senate committees on finance, appropriations, foreign relations, agriculture, armed services, banking and currency, post office and civil service.

To implement, investigate and enforce these proposals to usurp local and state police power, interfere with elections, and invade the sovereignty of states, the authority of local governments and the sanctity of the home, provision would be made to expand the FBI to any "extent necessary" with agents especially trained and instructed in "the investigation of civil rights cases." And to prosecute under these new laws, the President would appoint a special assistant attorney general to "be in charge of civil rights division of the Department of Justice" concerned exclusively with "all matters pertaining to the preservation and enforcement of civil rights."

As you consider the iniquitous provisions in these bills, I hope you will keep in mind this personal reference. As governor of Virginia, and as a senator from Virginia, not one word has ever passed my lips which could be used to inflame any prejudice between the races.

deplore such action on the part of any public man. As governor, and as senator, my office door has always been open to every citizen of Virginia, regardless of race, creed or color.

As a public official I have never failed to do all in my power to advance the proper interests of Negro citizens, and during my administration as governor, the Virginia legislature enacted the lightest anti-lynching law ever placed on any statute book; and it has put an end to this and similar violence within the confines of the state.

I have seen, with gratification and approval, the steady improvement in the economic condition of the Negroes in Virginia and throughout the South. I want to see this progress continue. It is my sincere conviction that passage of this Humphrey civil rights book would do irreparable injury to the true interests of the Negro in the South and elsewhere.

As a companion move to the introduction of these so-called civil rights bills, Senator Humphrey and his associates have introduced also a resolution to change the Senate cloture rule.

Centralization

As the Truman administration has progressed, whether by plan or by caprice, more and more power, and more and more purse control has been centralized within its easy reach at Washington.

No small part of this power and money has been centralized in give-away program after give-away program.

Through these programs the federal government takes money away from us, gives us back less than it took, and in the process it controls our lives and what we do, and makes us think we are getting something for nothing.

Think of these personal, economic, social, business, agricultural and financial controls in terms of what unscrupulous bureaucrats might do with them once the federal government, in the name of civil rights, begins to usurp police power and exercise control over elections.

Is any further explanation needed for the wave of scandals which, having started with Bennett Meyers, now has extended to the very vitals of the government represented by the Internal Revenue Bureau? And this moral weakness has been spreading. It spread to the Truman Democrats in Mississippi, whose appointees were selling RFD jobs to the highest bidder. It spread to high levels in the United States Army where a commander of a great arsenal, when caught receiving gratuities in the name of his position, assumed the attitude that he ought not to be discriminated against just because he was a "poor devil who got caught."

Perhaps being a conservative Virginian, I am such an old mossback that these things shock my conscience, whereas for some others, 20 years of federal paternalism have hardened them into the belief that anything you can get from the government is all to the good of the recipient, no matter who pays for it.

Action in the South

If this Truman Fair Deal, Welfare State, or whatever they wish to call it, and all that goes with it, is repugnant to legitimate Democrats, we will realize that our last resistance is in the Southern States.

For this reason it is important, first of all, that all Southern states should keep themselves free to take whatever action may prove to be necessary to prevent the destruction of those things bequeathed to us by our democratic forefathers as a sacred heritage.

We must not forget for a moment the real strength of the South. The South is strong because it holds the balance of power between the Trumanites and the Republicans. If Truman's administration had been able to control all of the Southern senators and all of the Southern congressmen, the President's program would have been enacted, and the nation now would be irrevocably committed to a socialistic, welfare state.

We will find that in 1831 the Democratic Party adopted the rule that candidates for president and vice-president of the United States should be nominated by not less than a two-thirds vote in the national convention.

These rules existed 105 years, and the Democratic Party, as a result, nominated great men for the highest offices in the land.

We will find no justification for their repeal, but we will find that without justification they were repealed in 1936.

On the other hand, we will find that the Republican Party has been nominating candidates under a majority vote in convention, but it does not permit the imposition of the unit rule on state delegations except under unanimous agreement.

We will find that when the Democratic convention of 1936 repealed the two-thirds rule, it continued to permit the use of the unit rule in state delegations. This means a state could vote as a unit, if agreed to by a majority of its delegates. Thus, operating under the unit rule, it is possible in a Democratic convention for an actual minority to control nominations.

The unit rule gives great power to the big city machines, such as in the populous areas of New York, Pennsylvania, Illinois and California.

The disreputable Boyle, the erstwhile chairman of the Democratic National Committee, who resigned under fire after the 1948 election said he would reorganize the party in such a way that the Truman Democratic Party could win in 1952 without a single electoral vote of a single Southern state. President Truman has repeatedly boasted that he was elected without the votes of four Southern states, including Alabama.

It is evident that in the "House of our Fathers," the South is not popular with those who temporarily occupy that mansion.

Legitimate Democrats have retreated to the last ditch. There is no more time. The South is the last bastion. If we do not recapture decency and solvency now it will be too late.

The South is strong because it holds a balance of power between the Truman Democratic Party and the Republican Party. The Southern states have 128 electoral votes, or 24% of the total of the electoral college.

I said in Atlanta when I spoke there in June that the Truman Democratic Party cannot win in 1952 without the Southern states. It could not have won in 1948 if two or three other Southern states had not supported the National Democratic ticket. Mr. Truman received a majority of only 37 in the electoral college.

There were 39 votes cast for Gov. Strom Thurmond and Gov. Fielding Wright.

We have many notable Southerners who exert vast influence, both in Congress and throughout the country. The very distinguished and able governor of South Carolina, James F. Byrnes, as have others, has spoken forthrightly.

Gov. Byrnes has indicated that he does not believe Mr. Truman will be a candidate for reelection, because to do so would be to violate at least the principle of the constitutional amendment which has been adopted by 41 states against a president serving longer than two terms.

In my judgment an overwhelming majority of Southerners disapprove of Mr. Truman and his policies.

If representative government means anything, there are ways to register this opposition when we vote in November, 1952.

If Mr. Truman and the Truman Party are reelected in 1952, it will be regarded, and rightly so, as a mandate from the people of America to push through Congress their whole unconstitutional socialistic program with especial emphasis on civil rights legislation now pending in the Senate.

In this situation, as one who has been in the forefront fighting these measures, I say to you that you cannot rely as safely as you have in the past on the probability that Southern senators can defeat these proposals. We will fight to the last ditch, but, confronted with such a mandate given to a victorious Truman, the odds will be against us.

If he should be reelected, he will owe his success to the elements and groups that want this extreme legislation and who will take the utmost pleasure in imposing their will on the South which now is the only element of the Democratic Party who does not accept the dictatorship of Truman and his camp followers.

If the Senate rules of debate are changed, as proposed, there is no hope that the civil rights legislation can be defeated.

Three Demands

This is what the South can do now: The South can serve notice on the Boyles, the Pendergasts, the Fitzpatricks, the Humphreys, the Moons, and the other Trumanites, including President Truman himself, that the South is determined to see the real Democratic Party

preserved and strengthened; that the South intends to oppose to the utmost, in Congress and at the polls, measures that are unconstitutional and destructive of the principles of government established by our forefathers; that the South intends to fight for a rigid standard of honesty in our officials.

¶ We can ask, at the National Convention, for restoration of the two-thirds rule.

¶ We can ask for repeal of the Humphrey civil rights resolution in 1948.

¶ We can ask for an endorsement, in the platform for the [July] convention, of the true principles of the Democratic Party; of reaffirmation of states' rights which were dealt a heavy blow in the national convention of 1948.

If these requests are denied, we can take counsel among ourselves and determine our course. It would be presumptuous of me to establish a program of action. It would be unrealistic at this time for any of us to chart precisely our 1952 course. We must meet the conditions as they develop. But, above all, I repeat, the Southern states must keep themselves free to take whatever effective action may be necessary for our fundamental freedoms.

The South can save the real Democratic Party, if we take courageous action, even if this means reformation and reorganization of the National Party.

Humphrey Says Issue Of Civil Rights Affects Nation, Not Just South

By the Associated Press

Senator Humphrey, Democrat of Minn., told Southern editors yesterday the issue of civil rights affects the Nation as a whole and is not just a "problem of the South."

Senator Humphrey, one of the leaders in the successful fight to put a strongly worded civil rights plank in the 1948 Democratic platform, sent letters to a score of prominent Southern editors explaining why he presses the issue.

In the face of the present Communist threat, Senator Humphrey wrote, it is essential this country become in all respects "one nation indivisible."

"More than a billion people in this world are neither white nor Christian," he said. "They live in India, Indonesia, Africa, China and throughout the broad regions of the earth."

"They are demanding national dignity, national independence and international strength. The day of white supremacy in the world is over. It was always immoral and is today impossible."

Senator Humphrey said this country needs the friendship of

those people of Asia and Africa in case of war. A-2
To win their friendship, however, he said, "we must eliminate those evidences in our own society which lead them to think we consider people of a darker skin to be inferior merely because of the color of their skin."

Dade Sheriff Lynch Begins Prison Term

John W. Lynch, Dade County sheriff, and his former chief deputy, William Hartline, began serving one-year terms at an announced Federal Prison, Thursday for violating the civil rights of seven Negroes.

Convicted last year in a Federal Court in Rome, Ga., of turning the Negroes over to a hooded and sheeted mob, alleged to be members of the Ku Klux Klan for flogging, Sheriff Lynch and Hartline surrendered to United States Marshal Joe Harrison.

Sheriff Lynch's thirty-five-year-old wife was sworn in as chief deputy to act in his absence.

Both law enforcement officers received fines of one thousand dollars in addition to the sentences of one year in prison.

Attributing his conviction to politics, Sheriff Lynch announced a few days ago that he will retain his office and seek re-election at the expiration of his current term, even though he will be behind bars.

A judge stated that even though the sheriff himself might be jailed, the office does not become vacant except through death, resignation or ouster proceedings.

Civil Rights Issue Revived in Senate

By Murrey Marder

Post Reporter

The civil rights program came to life again in the Senate yesterday, but two of its staunchest proponents conceded that political realities might call for a shift to "persuasion" as their chief weapon.

It was a new tack, and by no means a unanimous one, as hearings on plans to limit Senate debate opened before a Senate Rules Committee, with William Benton (D-Conn.) as acting chairman.

The possibilities of meeting the filibustering opponents of civil rights legislation on their own ground—and out-talking them—was one of several proposals aired. But it was accorded little hope at this time.

Benton, a supporter of civil rights legislation and its general corollary, tighter limits on Senate oratory, said midway in the hearing that he did not see "any practical way" to defeat a filibuster. "I think we're going to have to work this out by persuasion and compromise."

Sen. Hubert H. Humphrey (D-Minn.) testified:

"I refuse to believe that approximately 64 or 65 Senators who are pledged in their respective States to civil rights legislation . . . cannot outlast a force half as large, to put it bluntly."

But, he said, "I've learned a sense of patience." The South, said Humphrey, "is going through a great change," in its "one-crop" agricultural system and in its thinking. "As these great economic changes come," he said, "you're going to have a change in the political temperament."

A small tempest was stirred when Benton, listing "sug-

gestions" to overcome barriers to civil rights legislation, said Congress could "take a very long look at appropriations bills affecting Southern states."

Benton said the possibility of putting an economic squeeze on the south was raised by the fact that "money is being taxed out of the Northern states—and I agree it should be taxed out of the Northern states—and put in the Southern states."

But he joined Humphrey and Sen. A. S. Mike Monroney (D-Okla.) in opposing such a move.

"It would be a very dangerous precedent, and would be more defeating to the ultimate good of the country than unlimited debate," Monroney said quickly.

"I frown upon it," said Humphrey.

Benton agreed it was "a bad thing to get section against section." If anything, he said later, the South should get more aid.

Sen. Herbert H. Lehman (D-N.Y.), sponsor of a new plan to limit debate, said the so-called "Wherry" rule passed in 1949 "in its present form is a plain prescription for potential legislative paralysis."

That rule, sponsored by Republican floor leader Kenneth S. Wherry (Neb.) requires 64 Senators to impose a limitation on debate, but it does not apply to moves to change the Senate rules.

Lehman called that loophole "entirely unreasonable and entirely unfair." Humphrey called it a "fraud."

Lehman proposed that two-thirds of Senators voting could limit debate after 48 hours in issues of emergency, and a majority could limit debate after a 15-day period. Other cloture proposals have been made by Sen.ators Wayne Morse (R-Ore.),

Irving M. Iver (R-N. Y.), and Wherry.

Walter White, executive secretary of the National Association for the Advancement of Colored People, said that at the San Francisco conference on the Japanese treaty, Russia "utilized every one of the techniques of delay which had been perfected on the floor of the United States Senate."

But "cloture" was imposed on Russia, as it should be on the Senate, he said, for, "We challenge any logical man to differentiate between Gromyko and Eastland (Sen. James O. Eastland, (D-Miss.) on this issue of filibuster."

Other support for a rules change came from Patrick Murphy Malin, executive director of the American Civil Liberties Union, Michael Straight, national chairman of the American Veterans Committee, and Elmer W. Henderson, director of the American Council on Human Rights. The hearings continue today.

Civil Rights Compromise Offered South

Washington, Nov. 20 (U.P.)—Administration Democrats offered rebellious Southerners a compromise civil-rights platform today in hopes of luring them back into the party before the 1952 elections.

At the same time, Senator Monroney (D., Okla.) said it is his guess that President Truman will not run for re-election. He was the third Democratic senator in three days to predict the President will not be a candidate.

Developments Appear Linked

The two developments appeared linked. One border-state Democrat, who asked not to be identified, said he doubted the Southerners would accept the civil-rights compromise if Truman is the party's candidate. Otherwise, there were signs it might be acceptable.

Other Political Developments:

1. Truman denied anew that he ever offered General Dwight D. Eisenhower, directly or indirectly, the 1952 Democratic presidential

nomination.

2. Senator Carlson (R., Kan.) said in France after a visit with Eisenhower that he hopes the situation in Europe will improve to the point where the general will be available for the Republican nomination. Carlson said he and Eisenhower talked politics.

Taft Bids In Wisconsin

3. The national committee directing Senator Taft's bid for the G.O.P. nomination opened its drive for Wisconsin's votes at the convention next July. It announced the appointment of Harvey V. Higley, former state G.O.P. chairman, as head of the "Bob Taft Committee of Wisconsin."

Southern Democrats said the compromise civil-rights plan was offered to them by Senator Anderson of New Mexico, a member of the Democratic senatorial-campaign committee. They said he tried to persuade them to accept a civil-rights plank drafted by the platform committee at the 1948 Democratic convention.

That plank consisted of a general statement on the controversial issue. It was rejected on the convention floor in favor of a stronger program. Some Southern delegates bolted the convention as a result.

Economic Threat Against South Brandished By Civil Righters

WASHINGTON, Oct. 2—(AP)—Senator Benton (D-Conn) suggested Tuesday that "economic threats and reprisals" against the South might be considered in the Senate campaign for civil rights legislation, but he hastened to add that he did not advocate such a course.

Benton's suggestion aroused a block legislation designed to assure the enjoyment of those rights in states and won no immediate support from friends of civil rights legislation.

Senator Underwood (D-Ky) told reporters "there is no North and South in legislation," while Senator McClellan (D-Ark) warned "that's something that can cut two ways." There was sharper language from other Southerners who wouldn't be quoted.

Presiding at a meeting of the Senate Rules committee, Benton denounced Southern-led filibusters which have blocked votes on civil rights bills in the past and suggested those who support the bills "take a very long look at the ire of senators from the South—appropriations bills affecting the Southern States."

Later Benton said he meant his remarks to be part of a listing of "all possible approaches to getting the Senate filibuster rule changed and pushing through some civil rights legislation."

The Senate rule requires a vote of at least 64 members, or two-thirds of the whole Senate, to impose a limitation on debate and thus gag filibusters. Senator Lehman (D-Lib-NY) said the rule in its present form is "a plain prescription for potential legislative paralysis."

"I dare say that no parliamentary body on earth has such a despotic, such a self-perpetuating rule," Lehman added.

Among other approaches suggested by Benton were a court test of the constitutionality of existing rules, an attempt to outlast a filibuster and then force a vote on a rules change or a civil rights bill, and an effort to require re-adoption of Senate rules every two years as the House does.

Without steps "other than persuasion," Benton told Senator Humphrey (D-Minn), "I don't believe you've got a chance." Humphrey is leading the move to change the rule.

Lehman argued: "I do not believe a majority should be permitted, by legislation or otherwise, to deny to any minority the basic rights guaranteed to all our people under the constitution. Nor do I believe that a minority should be able to

Sen. Humphrey Tells South His Stand On Civil Rights

WASHINGTON—(ANP)—In an effort to reunite the Democratic party which split over the civil rights plank that he sponsored in 1948, Sen. Hubert H. Humphrey (D-Minn.) called for a hearing and more understanding of the party's objectives.

In a 2,000-word letter sent to at least 20 southern editors, Humphrey stated that the civil rights plank was never intended as a "blow to the south" but was meant for any section of the country, including his own, where segregation existed.

In the letter sent out last Saturday, the Minnesota senator was obviously extending an olive branch to the Dixie leaders but he did not backtrack on the civil rights proposals. He merely asked for an understanding by the south-easterners. This question both in the treaty conferences at San Francisco but were blocked when the U. S. and Britain got rules adopted "to impose strict cloture."

"Imagine if you will how vulnerable the United States will be... if our nation imposes cloture on Russia at San Francisco and refuses to do so on obstructionists in the U. S. Senate," he said. "Every time a bill is talked to death when it is clear that a majority" favors it, White said, "a new nail is driven in the coffin that our enemies wish to use for the burial of our form of government."

A political party which calls upon American people for support should tell the American people where it stands, he said. Every Democratic platform in recent years has contained a civil rights plank, but the 1948 platform was only made a little clearer and more specific.

He recognized and commended the states for solving some of the problems of civil rights.

Some southern states have enacted anti-lynching and anti-mask laws and abolished the poll tax, he wrote, and many have made progress in education, health, housing and community facilities. Too much trust is sometimes placed in the power of the federal government, he admitted, but "we know that on vital national issues affecting all the people, it is the responsibility of the national government to act."

Shelf Predicted For Rights Bill By Robertson

Senator A. Willis Robertson (D-Va.) predicted yesterday that Congress next year would again reject President Truman's civil rights proposals and refuse to vote another tax increase.

He said in a statement that the most important issues before the Senate next year would be appropriation bills, foreign aid, and extension of economic controls. It is "unfortunate," he said, that such vital issues must be handled in the "atmosphere of political jockeying" of an election year.

Robertson predicted that the Senate Democratic leaders would not even bring Mr. Truman's civil rights bills to the floor because "1. Practical politicians inclined to hitch their wagon to a star do not want to hitch it to a falling star."

"2. Practical politicians know only too well that there are 20 Southern Senators who will fight to the last ditch having rammed down their throats, for purposes of political expediency, a legislative program that is both unconstitutional and economically and socially unsound."

Robertson said there was little chance Congress would vote to increase taxes because income taxes already have "reached the point of diminishing returns." He expressed the belief that more revenue could come only from sales or transactions taxes and that Mr. Truman would not recommend such levies.

**SOUTHERNER PREDICTS
CIVIL RIGHTS SHELVE**
Commercial Appeal
Expects Party Policy Group To
Stop Truman

WASHINGTON, Dec. 9. — Senator Robertson (D., Va.) said Sunday night the Senate Democratic Policy Committee "undoubtedly" will shelve President Truman's controversial Civil Rights legislation at the session of Congress convening next month.

The Virginia senator, a foe of the program, noted in a statement that 1952 is an election year. He coupled that with his prediction that Mr. Truman will renew his request for enactment of civil rights bills.

South Bitterly Opposed
"Undoubtedly," said Robertson, "the Democratic Policy Committee of the Senate, which normally determines the legislation to be brought up for action, will not bring up the civil rights program."

"Practical politicians know only too well that there are 20 Southern senators who will fight to the last ditch (against) having rammed down their throats for purposes of political expediency a legislative program that is both unconstitutional and economically and socially unsound."

Robertson's statement made it clear that Dixie senators can be expected to turn to the traditional filibuster if any attempt is made to get Senate action on the program.

Backers of the program have indicated, however, that they plan to try. As a first step, Senator Humphrey (D., Minn.) already has announced that a Senate Labor Subcommittee he heads will hold hearings in January on bills to create a Fair Employment Practices Commission (FEPC).

Expects Tax Request
Looking ahead regarding other matters to be dealt with when Congress returns, Robertson forecast that:

1. Mr. Truman will ask for another tax increase, "but there is little likelihood that a new tax bill will be favorably acted on by the Congress." Income taxes, Robertson said, already have been raised "to the point of diminishing returns, leaving the only new source of tax revenue retail sales taxes or transaction taxes."

2. The "most vital issue" confronting the lawmakers will be the Federal budget for the fiscal year starting next July 1. Robertson called for substantial cuts in domestic spending and said it would be "very helpful if some reduction could prudently be made" in outlay for defense.

3. There will be much debate over whether to continue wage-price controls when Congress takes up extension of the Defense Production Act. The present law expires June 30.

"While I frankly recognize the fact that such controls are merely check-dams and do not reach the fundamental cause of inflation, I think we should continue them until the current emergency has passed," Robertson said.

The senator is a member of the Senate Banking Committee, which handles economic controls legislation.

WESTBROOK PEGLER

The Dishonest Civil Rights Report

NEW YORK—It is a custom of Northern invertebrates with more money than manhood to let political conspirators exploit their prestige. But when the Rt.-Rev. Francis J. Haas, a bishop of the Catholic Church, and Charles E. Wilson, formerly president of General Electric, are found in the company of Morris L. Ernst, Frank P. Graham, Charles Luckman and F. D. Roosevelt, Jr., on a "civil rights" committee whose report embodies much of the Communist line, earnest citizens who grope for truth and pray for honest leadership may feel rebuffed and depressed. The President's committee on civil rights, in which we find the names of Bishop Haas, now the prelate of Grand Rapids, and Mr. Wilson, now our director of war mobilization, was a mysterious concern.

It operated on the quiet and never gave a straightforward statement of its origin, activities, methods, and the political character and background of its personnel and the manner of their selection. And now, upon studious examination, the "report" proves to be a partisan, dishonest propaganda book which flagrantly ignores the terrible violence by which unions wage their war of conquest against the people and the institution of government under law.

It is a budget of hypocrisy in its pietistic abhorrence of lynching and its resolute indifference to the frightful record of union lynchings and mob terror. James B. Carey, one of the members of the committee, is a professional unioneer, who has fought against all legislative efforts to bring the racket into the community of decent American institutions. Wilson, as the president of a company employing a vast number of workers, knows better than most Americans what vicious brutality unions resort to to get their way.

Wilson may have been picked to set up a pretense that there was a balance between him and Carey. But Carey's life job is to promote the union racket. Wilson's job, at that time, was running a huge manufacturing company which could be badly hurt, even destroyed, by unions, including Carey's old union of electrical workers, so heavily infested with Communists that they were able to throw Carey out. Wilson had other concerns than union troubles to occupy his energies and he couldn't permit himself to slug it out with Carey lest his stockholders be punished by some lawless outrage.

On the basis of this dishonest report of this committee on civil rights, Truman stumped the country hollering for an anti-lynching law intended as an implied insult to the pro-American, law-abiding, dignified white population of the Southern states. If we have an aristocracy in the United States, this is it. Their exclusiveness, their unconcealed aversion to mass vulgarity and noisy ostentation brought upon them a hateful determination of Northern powers within their own party, who now include many Communists, to humiliate them in a thousand daily irritations. The scandalous life of denizens of the White House during an era of shocking licentiousness, the promiscuity, the barnyard marital code, the graft and the free-

and-easy association with traitors had estranged these Southern Americans from the traditional party of their homeland.

Would Bishop Haas and Mr. Wilson permit themselves to be used as instruments of this revenge with its ominous threat to the Constitution, to the liberties of the people all over the country and to the peace and the stability of government? It has been a phenomenon of the Roosevelt-Truman regime that a relatively small element of respectable men and women of recognized distinction, have been beguiled into service on "committees," "boards" and "panels" for purposes which have been very questionable according to their own known standards.

Certainly, however, the respectables who lend their prestige to the findings of such bodies owe the people who may be grievously affected by their proposals, plain, individual statements of their thoughts. As this report stands, the citizen who looks to Bishop Haas for one sort of leadership, to Mr. Wilson, for equally dignified leadership, and to Morris L. Ernst for enthusiastic dissertations on sexual vagaries, seemingly inspired by an extraordinary interest, for another, must be pardoned a degree of confusion and suspicion.

Tightwads Hit by Miss Smith at Rally

By WOODY L. TAYLOR

WASHINGTON

Lillian Smith, noted author and Southern liberal, struck a note of optimism in her discussion of the right for civil rights and racial relations, but urged her listeners to keep up the fight until victory is completely won, in her speech Sunday at Uline Arena to kick off the \$40,000 Freedom Rally Drive.

An approximately 2,500 people attended the meeting that lasted three hours on a hot, sultry 90-degree day.

Miss Smith predicted that in 10 years segregation will be gone in Washington. She also expressed the belief that legal jim crow will be eradicated in the South as a whole by that time.

Receipts for the occasion, billed as Freedom Rally Day at the various churches in Washington, amounted to \$1530, including \$1100 raised by the churches, \$200 cash collected at Uline and \$230 pledged.

Called Skinflints

Miss Smith expressed amazement at the small amount of money raised Sunday afternoon by the approximately 2,500 persons of both races who attended the affair and the churches of Washington, and called them "skinflints." Miss Smith told them "all of us have got to give money, time, brains, love, sympathy and understanding."

"We are not fighting people, we are fighting their evil dreams. We have got to eradicate their nightmares."

Segregation Hurts Children

In her prepared speech, Miss Smith stated that all children are hurt by segregation. She recalled her own childhood in which she said she remembered the invisible walls, sudden withdrawals, the tensions, the arrogance her own white color gave her or the philosophy that esteemed it. She said she spoke as one who has been hurt.

Death Versus Life

Miss Smith declared that this evil concept and destructive false philosophy of segregation that we are fighting today is too big and too far reaching to be called the

"colored problem," "white supremacy," "anti-Semitism" or "communism." It is death versus life; destruction versus growth; it is evil against good; hate against love.

"Isn't it awful to think that this capital is segregated. It is a horrifying thing," she declared.

Cites Changes in South

Few Americans understand democracy. Too many use the word as a weapon. Too few use it as bread for human spirit, she averred.

In her note of optimism Miss Smith cited numerous changes that have taken place in the South which she listed as follows:

A thousand colored students attended white colleges in the South this past year; all Baptist schools of theology in the South are now opened to all persons; Catholic schools of college and graduate level in the South are now open to all.

In Kentucky, and several other border states, private colleges as well as state schools are accepting colored students; the public library in Louisville, Ky., and public libraries in several southern cities are now open to citizens regardless of color.

In the District of Columbia and every state in the union except Georgia, South Carolina, Texas, South Carolina, Texas and Virginia, the colored graduate nurses are fully integrated into the state branches of the American Nurses Association.

There are now colored members of a number of civic boards in various southern cities; throughout the South, dining cars on trains are open to all and there have been no "scenes" despite the fact that the taboo against eating together has been strictly observed by the large majority of white Southerners for a long time.

In the last national elections, about 750,000 colored persons voted. It is estimated that a million and a half will vote in 1952. Now and then, there has been violence, even a few deaths, but always violence has come after hate speeches by politicians.

Overcoming Old Fears

"People are breaking the old silence of fear and speaking aloud

these fights without money, and we have got to pay, and pay, and pay, if we are to win the fight," she declared.

Mrs. Staupers and Miss Smith were presented corsages of orchids by the student nurses from Freedmen's Hospital and the National Council of Negro Women which were pinned on by Miss Mervell Winzer and Mrs. Rosa F. Daniels. Mrs. Anne A. Hedgeman, assistant to the Federal Security Ad-

Roy Wilkins administrative director of the NAACP.

Sharing the spotlight with Miss Smith and Mr. Wilkins was Mrs. Mabel Staupers, winner of the NAACP's Spingarn Medal at its convention in Atlanta for her role in breaking down segregation among nurses.

Must Pay Our Way
The nurse leader called on colored people to continue the fight and pay their way. "You can't win without money," she declared.

Miss Smith told this reporter that she has two other books to be published soon, one entitled, "Bright Exits" on the life and problems of the physically handicapped, in capped is due off the press in November. The other novel touches on the racial situation under the title, "Julia" and is being written. Miss Smith was introduced by

reporter that she has two other books to be published soon, one entitled, "Bright Exits" on the life and problems of the physically handicapped, in capped is due off the press in November. The other novel touches on the racial situation under the title, "Julia" and is being written. Miss Smith was introduced by

ministrator, was mistress of ceremonies. John J. O'Connor of the Catholic Interracial Council read the names of the sponsors and board members.

John Duncan, co-ordinator of Freedom Rally, gave its aims and purposes.

The Rev. L. Maynard Catchings, Plymouth Congregational Church, head of the church division introduced the ministers of the various denominations who reported the funds raised.

The Rev. Smallwood E. Williams, pastor of Bible Way Church and chairman of Freedom Rally Board of Directors, offered invocation.

Church Financial Report

Church reports were as follows: Presbyterian Churches: 15th St., \$37.80; Sergeant Memorial, \$17.25. CME: Israel Metropolitan, \$50; Miles Memorial, \$10; Greater Lane, \$10.

Methodist: Asbury, \$32.40

Epsicopal: Church of the Atone-ment, \$64.20.

Congregational: Plymouth, \$30; Peoples, \$71.

Reported by President: Holy Trinity, \$15; Park Road Community, \$11; Chapel Oak's Community, \$10; 12th St. Christian, \$11.25; Tried Stone Baptist, \$6; Bible Way, \$100.

AME Zion: Galbraith, \$25; John Wesley, \$100.42.

Baptist: Israel, \$24.60. First, \$15.50; Alexander Memorial, \$5.50; Rock Creek, \$7; Shiloh, \$58.10; Walker Memorial, \$10.48; Mount Carmel, \$50; Chapel Oaks Community, \$10; Good Samaritan, \$2; Metropolitan, \$200; Vermont Avenue, \$25; First Baptist Deanwood, \$15.91

2,000 HONOR PATTERSON

Civil Rights Congress, New York, N Y.—Over 2,000 Negro and white New Yorkers filled the main ballroom of the Riverside Plaza hotel here on Thursday evening, August 23, in celebration of the sixtieth birthday anniversary of William L. Patterson, nationally-famed Negro leader of the Civil Rights Congress.

Among the Negro and white leaders who paid tribute to the veteran civil rights fighter at the huge celebration were Paul Robeson, internationally-famous Negro singer and peace leader; Mrs. Charlotta Bass, former publisher of the California Eagle; Elizabeth Gurley Flynn, veteran civil liberties fighter

and member of the National Committee of the Communist Party; and Horace Wilson and James Thorpe, two of the "Trenton Six," who were freed through Patterson's legal and public efforts.

In thanking his New York well-wishers as well as the many friends who sent birthday greetings from every section of the country, the CRC leader declared in the following excerpt from his great speech that:

"We face the greatest crisis in the fight to defend our constitutional liberties and human rights that America has ever confronted. For the first time in the history of this country, a bona fide political party, the Communist Party, has been denied its constitutional right of free speech . . . Members of the secret police, acting on orders from the Department of Justice and the Administrative head of government, have smashed into homes during the small hours of the morning to snatch mothers from their babies and fathers from their families.

"Six men amended the Constitution when the Supreme Court upheld the conviction of the 11 Communist Party leaders under the provisions of the Smith Act. We had believed that only the people could alter or abolish that document. But these six men wiped the First Amendment, which we thought guaranteed to all Americans their freedom of speech, press and religion, from the Bill of Rights.

"Men have been forced to be witnesses against themselves where the crime was guilt by association—or they are found to be in contempt of court and arbitrarily sent to jail. Thus the 5th Amendment is being destroyed . . . Excessive bail is fixed where men and women are charged with harbouring guilty thoughts."

Women Invade Washington On Civil Rights Issue

WASHINGTON — (ANP) — More than 100 left wing Negro women representing all sections of the country from New York to California journeyed to Washington last weekend to "remind their government of the injustices done to Negro people of this country."

In presenting their problems to the heads of their government, these "Sojourners for Truth and Justice" said in a joint statement.

"We cannot, must not, and will no longer in sight of God or man sit by and watch our lives destroyed by unreasonable and unreasoning hate that metes out to us every kind of death it is possible for a human being to die."

Among the group were such persons Mrs. Josephine Grayson of Virginia, wife of one of the "Martinsville Seven" who was executed for the alleged rape of a white woman; Mrs. Amy Mallard of Georgia, whose husband was lynched; a representative for Mrs. Rosalie McGee, whose husband met death in a Mississippi electric chair; several relatives of the "Trenton Six."

Mrs. Louise Patterson, whose husband, William L. Patterson of the Civil Rights Congress is now facing charges of contempt of congress, and Mrs. Belanda Robeson, wife of Paul Robeson.

A delegation of 60 women visited the Department of Justice urging Maceo Hubbard of the civil rights division to take steps to free Mrs. Rosa Lee Ingram who is now serving a life sentence in a Georgia prison for the killing of a white sharecropper.

They further called for action in the Cicero, Ill., riot case and for justice in the cases of William Patterson, and Dr. W. E. B. DuBois, York served as spokesman for the group.

A similar group visited the Department of Army to discuss bias in the military service.

Mrs. Charlotta Bass, former editor of the California Eagle, presented to the Army officials a mechanical toy made in occupied Japan which depicted a very dark-skinned Negro, with white-ball eyes, and a broad silly grin, wearing checkered trousers, a red coat, a polka-dot tie, pinkish shoes, a yellow hat with a red band. A street marker behind him read 125th Street and Lenox Ave.

When the toy was wound up the Negro danced a jig on this "New York" corner.

"Is this the way Negroes are being portrayed to the people of Japan

by our white Americans?" asked Mrs. Bass.

A small group of these women assembled in front of the White House for a prayer meeting. The FBI refused to let them sing, so two prayers were offered by the two women ministers in the group.

Another small delegation visited Cong. Dawson's office asking that he intercede in the Patterson case to see that the Georgia congressman offer an apology for calling Patterson a black s.o.b. while the latter was testifying before his committee.

Dade Sheriff Begins Term

Dade County Sheriff J. W. Lynch and his former chief deputy, William Hartline, began one-year terms at an unannounced Federal prison Thursday. They were convicted of depriving seven Negroes of their civil rights.

The two surrendered to U. S. Marshal Joe B. Harrison here. Lynch, who swore in his 35-year-old wife as chief deputy to act in his absence, announced he would run for re-election in the Spring.

Denounces Congress For "Sit Down Strike" In Civil Rights

NEW YORK — Congress is engaged in "a wilful sit-down strike against civil rights," Walter White, executive secretary of the National Association for the Advancement of Colored People, said last week in a statement reviewing the record of the 82nd Congress prior to the convening of a national conference on civil rights in Washington, May 22-23.

"Of 41 bills and five resolutions introduced in both Houses of Congress during this session, not one has reached the floor of either House for debate," Mr. White pointed out. "Such congressional inaction," he continued, "demonstrates the urgent need for a national conference to develop plans for a new and intensified drive for enactment of civil rights measures."

Among the record, the NAACP executive said that 37 bills and three resolutions on civil rights have been introduced in the House. Among these are five watered-down measures introduced by Congressmen Brooks Hays of Arkansas and Dwight L. Rogers of Florida. In the Senate, four bills and two resolutions have been introduced. One resolution, by Senator Spessard Holland of Florida, would abolish the poll tax by constitutional amendment. An anti-filibuster resolution has been introduced by Senator Herbert Lehman of New York and others.

BURIED IN COMMITTEES

Among the House bills are six providing for an FEPC and four submitted by the Department of Justice, including bills to make lynching a federal crime, to abolish the poll tax, to prohibit attempts to hold anyone in slavery or peonage, and an omnibus civil rights bill. The FEPC bills have been referred to the Labor Committee, of which Representative Graham Barden of North Carolina is chairman. There they have remained dormant.

Civil Rights Congress Official Sentenced On Contempt Charge

NEW YORK — (INS) — Frederick Vanderbilt Field, a member of the Socialite Vanderbilt Clan, was sentenced to 90 days in jail Thursday for refusing to tell who put up the \$80,000 bond for four missing convicted communists.

Federal Judge Sylvester J. Ryan held Field in contempt of court when he said that to produce the records of the Civil Rights Congress Bail Fund, of which he is secretary, "might tend to incriminate me."

The New Yorker had balked previously on disclosing the names of individuals who had contributed thousands of dollars for top leaders of the American Communist party and was given until 2:30 P. M. Thursday to produce the list.

Judge Ryan's insistence on obtaining the names was linked to his belief that those who provided the bail money might give clues to the whereabouts of the four missing convicted Reds.

The bonds were forfeited Tuesday when they failed to report for imprisonment. They are Harry Winston, Gus Hall, Robert G. Thompson and Gilbert Green.

The seven other convicted American "Politburo" members started serving their five-year prison terms on Monday when they surrendered to U. S. authorities in Judge Ryan's court.

Field declined to name any of the individuals who provided the \$80,-

000 bail or name those who provided the \$110,000 in fines assessed against the 11 defendants convicted of conspiracy to teach and advocate the forcible overthrow of the government.

He also refused to produce the Civil Rights Congress records, except one financial statement. This statement showed the fund had loans payable to subscribers of \$762,219 as of March 27, 1951, and had borrowed U. S. bonds in the amount of \$117,000.

Judge Ryan characterized Field's attitude as "evasive" and accused him of not testifying in good faith.

The judge pointed out that four of the 11 top communists had jumped bail, and said he wanted to obtain information of value to those seeking to apprehend the missing defendants for whom Field had put up bail.

Capital Hill Cool To Demands Of 31 Groups At Civil Rights Parley

By VENICE T. SPRAGGS

WASHINGTON — Representatives of 31 national organizations meeting in a two-day civil rights conference here last week failed to get one single commitment from administration leaders in Congress as to what they will do to break the log-jam which has blocked consideration of

President Truman's civil rights program.

Beyond getting unanimous approval of a Senate Judiciary subcommittee to hold open hearings on a change in the Senate's unworkable cloture rule and on anti-politax legislation, the conference accomplished very little legislative-wise or in developing strategy for a united frontal attack on the present civil rights stalemate.

Meetings of the conferees with congressional leaders were marked with double talk, buck-passing and expert sidestepping on basic issues. This was matched only by the poor organization of the conference itself which gave rise to considerable criticism from many of the delegates in attendance.

McFarland Shocks Group

Representatives attending the meeting from organizations with a total membership of approximately 23-million, were shocked to hear Senate Majority Leader Ernest McFarland (Ariz.) reaffirm his support for the filibuster which he said was a protection for minorities.

When Walter White, executive secretary of the NAACP, sponsoring organization for the conference, asked the majority leader how many Democratic votes he can get for cloture or amending the Senate rule, he replied "I have no idea."

White then pressed him on whether he would favor continued "round-the-clock" sessions to break a filibuster. McFarland countered, "I think that would depend upon conditions in the Senate at the time the measure comes up."

Seek Conference

Finally, when one of the conferees asked the Majority Leader if he and some of his Senate colleagues would go down together with a small group of the delegates to the conference to "discuss specific civil rights strategy we can agree on," McFarland pleaded it was time for him to go to the Senate floor, and excused himself.

In their meeting with Senate Minority Leader Kenneth Wherry (Neb.) the conferees got a promise that he would try to get immediate consent from the Senate

Judiciary subcommittee to hold open hearings on the rule change, which he did the same day. Wherry also stated he would support a rule which would permit the breaking of a filibuster.

The Minority Leader said he would do everything he could to bring FEPC to the Senate floor for a vote. However, he restated his opposition to an FEPC with enforcement powers.

Three Point Program

Specifically, conferees tried to get Democratic and Republican leaders committed on the following three-point program:

1. Revision of the Senate cloture rule to facilitate breaking a filibuster. They asked for and were granted open hearings on resolutions proposing the rule change introduced by Senators Lehman (D., N. Y.), Lodge (R., Conn.), Ives (R., N. Y.), Morse (R., Oregon), and Humphrey (D., Minn.).

2. Immediate committee action on pending FEPC legislation with a view to enacting a law with enforcement powers at this session of Congress.

3. Enactment of legislation to provide protection for members of the U. S. Army, Navy and Marine corps from physical assault by civilians. One of the conferees reported that the Justice department is cool to extending Federal protection against assaults to members of the armed services because it will overburden Federal courts.

In addition to this three-point program, delegates urged administration leaders to impress upon President Truman the necessity for immediately issuing an executive order barring racial discrimination in defense employment.

They also expressed "grave dismay" over the filling of top governmental positions with "reactionaries" like Civil Defense Administrator Millard F. Caldwell, former governor of Florida, and Civil Service Commissioner Robert Ramspeck, former U. S. Representative of Georgia.

The following organizations participated in the conference held at the All Souls Unitarian church here:

Alpha Phi Alpha Fraternity, American Civil Liberties Union, American Council on Human Rights, American Federation of Labor, Americans for Democratic Action, American Jewish Committee, American Jewish Congress, American Veterans Committee.

Anti-Defamation League, Brotherhood of Sleeping Car Porters, Catholic Interracial Council, Committee to Abolish Discrimination-CIO, CIO, Cultural League Training Center - Atlanta, Ga., Delta Sigma Theta sorority, Hotel and Restaurant Employees and Bartenders, I. B. P. O. E. W., Japanese American Citizens League, National Alliance of Postal Employees, National Baptist Convention, U. S. A., Inc., National Bar Association.

National Civil Liberties Clearing House, National Community Relations Advisory Council, National Council of Jewish Women, National Council of Negro Women, National Dental Association, N. S. C. A. & A. S. P.-Masons, National Urban League, UAW-CIO, United Steelworkers of America, Workers Defense League.

Three Ex-Convicts Regain Civil Rights

Three former convicts were restored their political and civil rights and another pardoned by the Alabama pardon board last week.

Restored to civil rights were: Paul Little Hollis (Negro) — convicted of distilling in Walker County Feb. 8, 1932, sentenced to a year and a day to 13 months and released Feb. 8, 1933.

Rich Ingram — distilling in Walker, March 31, 1939, year and a day to 18 months and two days, released Dec. 13, 1939.

William Edward Martin — Grand larceny, Jefferson, March 28, 1947, three years probation.

The convict pardoned is Cecil Weeks, convicted of assault with intent to rob in Mobile County, February, 1943, sentenced to 10 years, paroled Feb. 20, 1946.

The board announced that 41 parole applications were turned down during the week.

Negroes Urge Ouster Of Civil Defense Head

By JOSEPH V. BAKER

The immediate removal of Civil Defense Administrator Millard F. Caldwell has been demanded of President Truman by the National Association for the Advancement of Colored People. The association, in a bristling statement to the White House, said that the position was rooted in Caldwell's "continued" advocacy of white supremacy.

A former Governor of Florida, Caldwell became one of the leaders of the Southern segregationist bloc which is headed by Gov. Herman Talmadge, of Georgia. As governor, Caldwell pledged Florida to a foremost position in fighting decisions of the U.S. Supreme Court regarding the admission of Negroes to southern universities generally accepted as being for white students.

FOUGHT COURT DECISION

The civil defense head, according to statements made public by the NAACP, also was active in 1944 in leading a movement against a Supreme Court decision which outlawed the "white primary" practices of the Southern wing of the Democratic Party. That practice, which had dated from the Reconstruction period, denied to Negroes participation in primary elections.

The NAACP held that it was impossible for Negroes to expect an unbiased administration of civil defense on the part of an individual "who refuses to respect the Nation's highest court." The association protested to the President in advance of the Caldwell appointment, but its pleas were completely disregarded, spokesmen for the group have charged.

PLAN WIDE PROTEST

The Caldwell issue is looked upon as marking the disruption of friendly relations between the White House and the NAACP for the first time in 20 years. The organization is, ostensibly, non-political; however, throughout the Roosevelt Administrations and the evolutions of the New and Fair Deals, top executives of NAACP frequented policy circles and served as unofficial advisers on problems involving race relations.

The closeness of the association's leaders to the Truman Administration during the first years of its tenure was such as to threaten to disrupt the organization's own solidarity. Republican figures prominent in some branches protested statements made by the association which they interpreted as being "slanted" in favor of positions taken by the Democrats.

Indicative of the depth of the break between the NAACP and the

Administration is the fact that the national board has authorized creation of a special committee, the task of which will be to "work out plans for effective mobilization of nationwide protest" against the Caldwell appointment. Pointing out that the committee's attitude may be, Earl B. Dickerson, Chicago attorney and a member of the NAACP board, said:

LOW ESTEEM INDICATED

"The Caldwell appointment is but another indication of the low esteem in which the present administration holds the Negro citizenry. Equally obnoxious to Negroes as the selection of Caldwell is the appointment of former Congressman Robert Ramspeck, of Georgia, as chairman of the U.S. Civil Service Commission."

Sources close to the association's board of directors have indicated that as part of its "mobilization of nationwide protest" the NAACP might call upon Negroes to "refrain from any cooperation" with the Civil Defense agency as long as Caldwell was its head. The resolution creating the special committee initially contained the plea, informed sources hold, but was deleted when questions concerning how far the Negro press would go in support of it arose.

Meanwhile, the Truman Administration also stood hard pressed by Negroes for some "specific statement of condemnation" on the part of the President regarding positions taken by Gov. James Byrnes, of South Carolina, and Herman Talmadge, of Georgia. A number of organizations, most of which have been supporters of the Truman program, have asked that the President "tell the world which element represents American democracy."

AROUSED BY BYRNES

Negroes have been especially aroused by a statement by Byrnes in which he declared South Carolina would "abolish its public school system before it allowed Negro and white children to sit in the same classrooms." A former Justice of the U.S. Supreme Court, Byrnes has made it clear in a number of public statements since his term began that his administration would not be bound by that court's decisions.

The President, in the opinion of Negro leaders, has been singularly silent regarding the position taken by Talmadge. Talmadge has threatened to deny any public funds to

school or college which accepts a Negro student, despite the decisions of the U.S. Supreme Court regarding that issue. And while both the Caldwell and Talmadge issues have been credited with causing the break between the NAACP and the White House, many believe that the President's refusal to give more than token support to his civil rights program is the real

Perlman Goes Back 61 Years For a Gem

WASHINGTON

Phillip Perlman, U. S. Solicitor General, reached back 61 years last week to produce a gem of a legal opinion on civil rights.

Mr. Perlman's eloquent and brilliant argument before the Supreme Court in the restrictive covenant cases was the talk of lawyers for many months.

Last week he filed a brief, as a

IN A NUTSHELL

U.S. Solicitor General Phillip B. Perlman reaches back 61 years to revive a refreshing argument for civil rights for all.

He says citizens are entitled to privacy in homes and public places... Must be expected to associate with all classes in public places.

Perlman's quote is from the restaurant case in 1890 by Judge Morse.

AFRO looks up opinion and finds Judge Morse also said in effect: "Because God made the color of one man dark, that is no reason why he should not have his rights and privileges under the law."

"The law is tender, not harsh towards all infirmity."

"If to be born black is a misfortune, then the law should lessen, not increase, his burdens."

"I should have little respect or love for God if I thought that color was designed by him to be forever a badge of inferiority."

"All citizens have the same rights in public places."

friend of the court, before the U.S. District Court of Appeals.

In it he urged the Appeals judges to declare valid both the District of Columbia Civil Rights Acts of 1872 and 1873.

Order of Lower Court

The lower court had ordered Thompson's Restaurant to serve all citizens, under the Act of 1873.

Mr. Perlman, speaking for Attorney General J. Howard McGrath and for President Truman asked that the Act of 1872, which applies to hotels and theatres, be declared valid too.

Giving his idea as to what the law should be where mixing of races in public places is concerned, Mr. Perlman said:

Must Expect Mingling

"The man who goes either by himself or with his family to a public place must expect to meet and mingle with all classes of people."

"He cannot ask, to suit his caprice or prejudice or social views, that this or that man shall be excluded because he does not wish to associate with him."

"He may draw his social lines as closely as he chooses at home or in other private places, but he cannot in a public place carry the privacy of his home with him or ask that people not as good or great as he shall step aside when he appears."

Judge Morse's Opinion

The above quotation is from an opinion of the Michigan Superior Court, October 1890, written by Judge Morse and concurred in by his associates.

The case involved a suit for damages by William W. Ferguson against Edward G. Gies, a white restaurant owner in Detroit.

Gies' restaurant was divided into a bar and a dining room and he refused to serve Ferguson, except in the bar.

In finding that Gies should serve colored wherever he served the white customers, Judge Morse made several observations that are sound today, after 61 years.

Unconditional Equality

Said Judge Morse:

"In Michigan there must be and is an absolute, unconditional equality of white and colored men before the law."

"The white man can have no rights or privileges under the law that are denied to the black man."

"Socially people may do as they please within the law, and whites may associate together, as may blacks, and exclude whom they please from their dwellings and private grounds; but there can be no separation in public places between people on account of their color alone which the law will sanction."

Michigan Civil Rights Act of 1885
"But this is not all. In 1885 the Legislature of this State, by Act No. 130, enacted:

"Section 1. That all persons within the jurisdiction of this State shall be entitled to the full and equal accommodations, advantages, facilities, and privileges of barber-shops, public conveyances or land and water, theaters, and all other places of public accom-

modation and amusement.

"Section 2. That any person who shall violate any of the provisions of the foregoing section by denying, or by aiding or inciting such

Perfect Equality

ing, or by aiding or inciting such

Failure of Housing

Bill Would Be

Betrayal — Granger

NEW YORK — The National Housing Policy enacted by Congress in 1949 will be betrayed unless the Senate-House Committee urges the House of Representatives to reverse its vote of last May 4 on housing legislation now being considered by the Committee.

This is what Lester B. Granger, executive director of the National Urban League, said as he urged Congress to pass legislation to meet the urgent need for housing, particularly for the nation's low-income families.

The effect of failure to enact such legislation, Granger said, would be to give "Communist critics new ammunition for the charge that the costs of defense are being thrown on the shoulders of the poorest families in our economy."

denial, shall, for every such offense, be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not to exceed one hundred dollars, or shall be imprisoned not more than thirty

"This statute places the colored man upon a perfect equality with all others, before the law in this State."

"Under it, no line can be drawn in the streets, public parks, or public buildings upon one side of which the black man must stop and stay, while the white man may enjoy the other side, or both sides, at his will and pleasure; nor can such a line of separation be drawn in any of the public places or conveyances mentioned in this act."

Did God Make Difference?

Any discrimination founded upon the race or color of the citizen is unjust and cruel, and can have no sanction in the law of this State.

"The cases which permit in other states the separation of the African and white races in public places can only be justified on the principle that God made a difference between them, which difference renders the African inferior to the white and naturally engenders a prejudice against the African, which makes it necessary for the peace and safety of the public that the two races be separated in public places and conveyances."

ated in public places and conveyances.

Tainted Justice

"This doctrine which runs through and taints justice in all these cases is perhaps as clearly and ably stated in RAILROAD CO. v. MILES, 55 Penn. St. 212, as anywhere. In that case, Judge Agnew says:

"If a Negro takes his seat beside a white man, or his wife or daughter, the law cannot repress the anger or conquer the aversion which some will feel."

"However unwise it may be to indulge the feeling, human infirmity is not always proof against it."

"To assert separateness is not to declare inferiority in either."

"It is not to declare one a slave, and the other a freeman. That would be to draw the illogical sequence of inferiority from difference only."

"It is simply to say that, following the order of Divine Providence, human authority ought not to compel these widely-separated races to intermix."

"The right of each to be free from social contact is as clear as to be free from intermarriage."

"When, therefore, we declare a right to maintain separate relations as far as is reasonably practicable, but in a spirit of kindness and charity, and with due regard to equality of rights, it is not prejudice nor caste, nor injustice of any kind, but simply to suffer men to follow the law of races established by the Creator himself, and not to compel them to intermix, contrary to their instincts."

Above is Poor Reasoning

"This reasoning does not commend itself either to the heart or judgment."

"The Negro is here, and brought here by the white man."

"He must be treated as a freeman or a slave; as a man or a brute."

"The humane and enlightened judgment of our people has decided—although it cost blood and treasure so to determine—that the Negro is a man; a freeman; a citizen; and entitled to equal rights before the law with the white man."

"This decision was a just one. Because it was divinely ordered that the skin of one man should not be as white as that of another furnishes no more reason that he should have less rights and privileges under the law than if he had been born white, but cross-eyed, or otherwise deformed."

Color and Misfortune

"The law, as I understand it, will never permit a color or misfortune, that God has fastened upon a man from his birth, to be public that the two races be separated in public places and conveyances."

punished by the law unless the misfortune leads to some contagion or criminal act; nor while he is sane and honest can he have less privileges than his more fortunate brothers."

"The law is tender, rather than harsh, towards all infirmity; and, if to be born black is a misfortune, then the law should lessen, rather than increase, the burden of the black man's life."

Whites Should be Ashamed

"The prejudice against association in public places with the Negro, which does exist, to some extent, in all communities, less now than formerly, is unworthy of our race."

"It is not for the courts to cater to or temporize with a prejudice which is not only not humane, but unreasonable."

Judge Won't Do It

"Nor shall I ever be willing to deny to any man any rights and privileges that belong in law to any other man, simply because the Creator colored him differently from others, or made him less handsome than his fellows,—for something that he could not help in the first instance, or ever afterwards remove by the best of life and human conduct."

Little Respect for Diety

"And I should have but little respect or love for Diety if I could for one moment admit that the color was designed by Him to be forever a badge of inferiority, which would authorize the human law to drive the colored man from public places, or give him less rights therein than the white man enjoys."

"Such is not the true theory of either the Divine or human law to be put in practice in a republican form of government, where the proud boast is that 'all men are equal before the law.'"

District Civil Rights

The status of the anti-discrimination acts of 1872 and 1873, raised in the Thompson restaurant case, is now before the United States Court of Appeals for the District of Columbia for determination. The Municipal Court of Appeals split three ways on the issue, a majority of the court agreeing, however, that the old Legislative Assembly of the District was within its powers in adopting the acts and that nonenforcement in the intervening years had not impaired their validity; the majority judges differed as to the status of the 1872 law but agreed that the act of 1873 remained in effect. The issue is one of great significance in its implications respecting District home rule as well as in its protection of local civil

rights. *W. A. Hunton*
The importance of the case throughly warrants Solicitor General Perlman's action in filing an *amicus curiae* memorandum for the United States arguing that both the 1872 and 1873 acts are valid and still in full force and effect. The memorandum recites the Federal Government's direct interest in the decision—its concern over the protection of its employes from discrimination, its concern over the effects of discrimination on foreign embassies and legations in Washington, its concern over the "serious flaw in our democracy" and the "challenge to the sincerity of our profession of the democratic faith" constituted by the existence of racial discrimination in the Nation's Capital. These considerations may have little relevance to the question of law before the Court of Appeals. But they illuminate the underlying issue; and it is well to have the Government on record concerning them.

QUERIES HALT BAIL FOR 'RIGHTS' PAIR

James
Offer of Cash Is Withdrawn When Hammett's Secretary Is Asked About Source

Dun
An offer to provide cash bail of \$10,000 for each of two officers of the Civil Rights Congress bail fund was withdrawn suddenly in the United States Courthouse yesterday when Assistant United States Attorney Roy M. Cohn questioned the source of the bail funds.

Dashiell Hammett and W. Alphaeus Hunton, trustees of the bail fund of the self-styled Civil Rights Congress, are serving six-month jail terms for refusing to disclose the source of their bail fund. Mrs. Mary Hammett, attorney for the fund, appeared yesterday before United States Commissioner Edward W. McDonald to post bail for both men.

Mrs. Kaufman called Miss Muriel Alexander of 21 East Fourteenth Street, who testified she was Hammett's secretary. She offered to post \$10,000 in cash for Hammett's release and said the money was hers.

"Where did you get this \$10,000?" Mr. Cohn asked.

Mrs. Kaufman objected that the rules of the court did not require an inquiry into the source of the funds. When Mr. McDonald overruled her objection, Mrs. Kaufman

withdrew the bail offer. She said Hunton could offer \$10,000 of his own money for bail, but would refuse to answer any questions on its source.

When Mr. Cohn refused to agree not to ask such questions, Mr. McDonald adjourned the Hunton matter until tomorrow. He suggested that it then be taken before Judge Sylvester Ryan, who had imposed the jail sentences on both men.

W. A. Hunton Jailed In Contempt Case



James
Dr. W. Alphaeus Hunton, one of the three trustees of the Civil Rights Congress' bail fund who was sentenced to six months in jail on contempt charges following his refusal to answer questions concerning the source, use and status of money in the fund. With him were sentenced W. Dashiell Hammett, outstanding mystery writer, and Frederick Vanderbilt Field, millionaire supporter of leftist causes.

Manuel
Dr. Hunton is a former instructor and professor of English at Howard University. Since leaving the university in 1943, he has held the office of information director and secretary of the Council on African Affairs. He is also a member of the executive board of the National Council on the Arts, Sciences and Professions. The holder of degrees from Howard and Harvard Universities, he is the author of several works in the field of English and social, labor and race problems.

Civil Rights Gain Cited By Sociologist At Meet

Decency In Bargaining

James
NASHVILLE — "We are well on our way toward the extension of democracy and civil rights to everyone," Dr. Joseph Lohman, Professor of Sociology at the University of Chicago, told the American Missionary Association Race Relations Institute in session at Fisk University.

Lohman said that we have discovered that "human rights in the modern world are indivisible," and that "when the basic rights of men are denied, therein lies a threat to the freedom of everyone."

James
He said that the attitude of the conservative in race relations in the United States today can be used as a good standard against which to measure our progress, for even they see the need for a "gradual" accession of equal rights and opportunities.

James
"The timid and fearful are in retreat, and our confidence in democracy is sustained," Dr. Lohman declared. He described the doctrine of "separate but equal" achievement, pointing out that wherever there is enforcement of segregation there is always inequality."

He cited as another myth in race relations the idea that progress inevitably means violence, and he gave as an example the recent improvement toward the abolition of segregation in the armed forces. "In the armed forces we have learned that all men are capable of being accepted by his fellows, in spite of the petty reservations which some individuals may have," the speaker declared.

Labor Bias

Mark Starr, New York City, Educational Director of the International Ladies Garment Workers Union, told a later session of the Institute that unless organized labor overcomes the difficulties of race discrimination in its ranks, its own major interests will be undermined.

He said that the attitude in industry and labor is more important than even in schools and colleges, for these are secondary matters in comparison with earning a living.

"We must concentrate upon the universal needs and interests of me, the needs of home, job and the welfare and future of children, for it is through these common interests that labor and other organized groups can overcome prejudice and discrimination," Starr observed.

The speaker said that the nation had gone a long way toward establishing "decency in collective bargaining, instead of the old knock down-drag-out fights of labor and management." He indicated that "the real wealth of a nation consists of the number of happy, healthy human beings," and that "when you don't have to fight the boss on picket lines, you release a vast potential of constructive human energy."

Carey McWilliams, lecturer and author, will give an evening presentation before the Institute, at eight o'clock in the Fisk University chapel. He is an editor of the *Nation* and author of *Brothers Under the Skin*, a widely read publication in the human relations field.

Pledges To Fight For Civil Rights

James
PITTSBURGH, Pa. — (ANP) — The failure to adopt a civil rights program for America will earn the United States "the moral condemnation" of people in other parts of the world and may also "bring us economic troubles of the most serious nature," CIO President Philip Murray declared this week.

Speaking at a testimonial banquet in his honor, under the auspices of the Allegheny county (Pa.) Citizens committee and attended by civic leaders from western Pennsylvania, Murray said:

Passage by the Congress of a fair employment practices law would bring tremendous benefits to every American citizen here at home. It would also be worth two or three army divisions, or a year's appropriation for the Voice of America in our world-wide struggle against Communism. . . .

"Each betrayal of American democratic principles, whether it is in the field of civil rights or in any other phase of our daily life, plays directly into the hands of the Kremlin."

James
Win Friends
"The massive propaganda machine of the Kremlin is ready to seize upon, distort and broadcast our failures in a hundred tongues. We cannot control the Kremlin propaganda machine—but we can,

as a nation, regulate our conduct to win friends rather than to rebuff our natural allies."

Murray, reviewing the record of the CIO, predicted that it would continue to be in the vanguard of the fight to break down artificial fences of discrimination or segregation. The CIO, he said, will press for three objectives:

(1) There must be equality of economic opportunity for every American citizen.

(2) There must be equality of political rights for every American citizen.

(3) There must be an equal sharing of the services and the facilities of each community by all its citizens.

TO MAKE DEMOCRACY REAL:

"Lost" Civil Rights Laws Both Valid, Says Perlman

WASHINGTON

Declaring that "the existence of racial discrimination in the nation's capital constitutes a serious flaw in our democracy," the Federal Government filed a "friend of the court" brief which declares the anti-discrimination laws of 1872 and 1873 were "valid and still in effect."

Acting on behalf of the U.S. Government, Solicitor General Philip B. Perlman filed a memorandum Thursday in the test case now before the U.S. Court of Appeals, involving Thompson's Restaurant, in which he said the problem of racial discrimination in the nation's capital is a matter of serious concern to the entire nation.

He cited three reasons for that concern:

"Deplores Discrimination"

"First, it should be noted that several hundred thousand Federal employees, representing every State in the Union and including every segment of our population, work and live in this area. It is the established policy of the United States that its employees shall be selected without regard to race or color.

"The Federal Government particularly deplores discrimination on ancestry or other irrelevant fact.

"Secondly, it is important to recall that the embassies and legations of foreign governments are located in the District of Columbia. Foreign officials and visitors are likely to judge this country and our people by the experiences and observations in the nation's capital.

"Racial discrimination in Washington assumes exaggerated importance in conveying a misleading impression of American life. Moreover, many of the representatives of foreign governments are not white.

Many Foreigners Insulted

The President's Committee on Civil Rights reported that 'Foreign officials are often mistaken for colored Americans and refused food, lodging and entertainment. However, once it is established that they are not Americans, they are

accommodated.

"Third, and perhaps most important, the existence of racial discrimination in the nation's capital constitutes a serious flaw in our democracy. The need to eliminate this gap between ideals and practices represents a challenge to the sincerity of our profession of the democratic faith.

"The United States is now endeavoring to prove to the entire world that democracy is the best form of government yet devised by man. It must by its own example demonstrate the superiority of the free, democratic way of life."

Both Laws Valid

The solicitor general expressed the belief that both the 1872 and 1873 acts are valid and still in full force an effect.

To substantiate that belief, he pointed out that Chief Judge Cayton of the Municipal Court of Appeals opined "that these acts were well within the power of the Legislative Assembly to enact;

"That they have not subsequently been repealed, either expressly or by implication, and that the 1873 act is not inconsistent with the 1872 act because there 'is no reason why the two laws cannot exist side by side without conflict.'"

The brief pointed out that the validity of the anti-discrimination laws involved only a restaurant.

Academic Question

Hence, "the question whether its conduct also violated the 1872 act, which prescribes identical penalties for the same offense, would appear to be academic."

Therefore, the court may deem it appropriate to "deny both petitions for appeal."

However, it was pointed out in the Solicitor General's brief that "mere denial of the appeals might erroneously be regarded as carrying with it an implication that the 1872 act could not be validly applied to facilities other than restaurants which are dealt with in the 1872 act but not in the 1873 act.

"In our opinion," he stated, "no such inference would be justified. However, the court may, out of an abundance of caution, deem it proper, if it denies the appeals, to state that such denial is with-

out prejudice to the question, should it arise in the future, as to whether the 1872 act applies to the public accommodations other than restaurants covered by its terms."

The memorandum submitted by case of the District Government against Thompson's Restaurant, 725 14th St., N.W.

Started July 20, 1950

On July 27, 1950, the Rev. A. F. Elmes, pastor of People's Congregational Church; Miss Joan Williams, white, of the Washington Fellowship; and Dr. Mary Church Terrell, well known education were denied service because of their "race and color."

On Aug. 3, 1950, Judge Frank Myers of Municipal Court ruled that the anti-discrimination laws had been "repealed by implication."

On May 24 of this year, the Municipal Court of Appeals, by split 2-1 decision, upheld the validity of the 1873 law banning discrimination against "any well behaved or respectable person" and counsel for the restaurant has appealed to the U.S. Court of Appeals.

The trial judge quashed the information, holding that the acts, while valid in their inception, has been repealed by implication by subsequent legislation. On appeal, the three judges of the Municipal Court of Appeals reached different conclusions.

Both Valid—Judge Cayton

Chief Judge Nathan A. Cayton found that both the 1872 and the 1873 acts were valid when enacted and had not been repealed. Judge Brice Clagett concluded that the 1872 act had been repealed by the 1873 act, at least so far as restaurants were concerned, but that the latter act was valid and still in effect.

Judge Hood, dissenting, thought that both acts were invalid from the outset because they dealt with a subject matter beyond the authority of the Legislative Assembly.

The effect of the majority ruling was to uphold the 1873 act, but not the 1872 act, as applied to a restaurant which refuses to serve any respectable, well-behaved person. Both the District of Columbia and the restaurant appealed.

Drop 8 Civil Rights Bills In Senate Hopper

WASHINGTON — As Congress neared the half-way mark, a group of nine Senators, eight Democrats and one Republican joined in introducing eight civil rights bills designed to protect the rights of minority groups.

The bills carrying out the recommendations of President Truman's Committee on Civil Rights and the Justice Department, marked the tenth anniversary of President Roosevelt's executive order creating the National Fair Employment Practices Commission.

In introducing the bills, Senator Hubert H. Humphrey (D., Minn.) said that it was "fitting and proper" that the Senate of the United States

"make itself again aware of the need to face up to its responsibilities," to enact civil rights legislation which can be used "as a weapon to turn against the enemies of a free world."

Joining with Senator Humphrey in sponsoring the bills were Senators Benton (D., Conn.), Douglas (D., Ill.), Lehman (D., N. Y.), Magnuson (D., Wash.), Morse (R., Oregon), Murray (D., Mont.), Neely (D., W. Va.) and Pastore (D., R. I.).

The bills would prohibit discrimination in employment because of race, color, religion or national origin; make lynching a Federal crime; outlaw the poll tax as a condition for voting in Federal elections; establish a civil rights commission in the executive branch of the Government; set up a joint Congressional committee on civil rights and reorganize the civil rights section of the Justice Department, raising it to division status under an assistant attorney general.

Other bills would outlaw segregation and other forms of discrimination in interstate transportation; strengthen existing civil rights laws; protect individual citizens against intimidations, coercion or any other interference with their right to vote in all elections; and strengthen criminal laws relating to peonage, slavery and involuntary servitude, including "bold and forthright anti-labor and anti-union campaigns being waged by certain irresponsible employers."

It is considered little likely that any civil rights measure will get floor consideration in the Senate at this session.

Civil Rights Conferees List

4 Objectives

Wait Truman FEPC Order Issued Now

Sen. Wherry Steals Show from Demos

By AL SWEENEY

WASHINGTON

The two day emergency civil rights meeting held at the All Souls Unitarian Church Tuesday and Wednesday of last week came up with the same old political cliches that are hardly sensational now.

After two days of lengthy deliberation, the 71 delegates representing about 30 national organizations of objectives:

1. That President Truman should issue an FEPC executive order immediately;

Revise Cloture

2. That the Senate Rules Committee should hold hearings on a bill to revise the Wherry cloture amendment;

3. That a bill should be passed eliminating segregation in the armed forces;

4. That an amendment should be passed for the protection of members of the armed forces against civilian or military violence.

The most startling development during the entire meeting was the fact that Republican Senator Kenneth S. Wherry, of Nebraska, the minority leader of the Senate, took the civil rights play from Democratic Senator Ernest W. McFarland, of Arizona, majority leader of the upper house.

Feels Amendment Adequate

Senator Wherry, architect of the famous two-thirds cloture amendment, told the conference delegates that he felt that his amendment was adequate to put an end to a Southern filibuster.

He pledged that he could deliver 38 Republicans for a cloture vote. However, he promised that he would take it up with the Rules Committee to hold a hearing on

Wednesday. The session closed at the All Souls Unitarian Church with the aforementioned statement of objectives to the press. The most significant observation during the closing session was expressed by George L. P. Weaver, the CIO leader. He said: "If we aren't going to discuss anything new at these meetings or come up with some new approaches, it

comparing Wherry, who had hurried from the conference room to a meeting of the Senate Rules Committee, stuck his head in the door with the heartening announcement to the effect that Rules Committee had unanimously voted to hold a hearing on a bill to revise the oft-discussed cloture amendment. It was on this note, with which the Republican minority leader had been completely stolen the show, that the meeting broke up about noon

the 82nd Congress, complaining that the MacArthur controversy had taken up considerable amount of time. He did not give those who wished to strengthen a gag on the filibuster tactics of civil rights opponents any consolation, because he was in favor of "unlimited debate." While Senator McFarland was conferring with the delegates, the majority leader hedged on promising anything specific about the civil rights measures. He admitted that none of the measures was calendared for this session of

would certainly be cheaper for the delegates to remain home."

The "emergency" civil rights meeting was called by the NAACP headed by Walter White, who presided.

Among the delegates were:

Charles S. Sand, Donald C. Huston, J. W. Brown, Regina Chandler, Rowland Watts, Alfred Herling, Walter White, Henry Lee Moon, Nelson M. Willis, Gertrude Wilson, Mrs. Lillie M. Jackson, Frances Madden, Annie Harcum;

Dr. J. M. Tinsley, Marion Briscoe, Barrington Parker, Margaret Heywood, Thomas Bomar, Judge J. Cobb, James Buby, Roy Garvin, Ted Spaulding, Viola Gunther, Lillian Hatcher, Robert Smith;

William Oliver, Lewis G. Hines, Arnold Aaronson, N.Y.; Sol Robbin, Paul S. Sifton, N.Y.; Roy L. Reuther, Robert Corning, Patricia Murphy, Aubrey Robinson, Hedley Stout, Philip Weightman, Clarence Mitchell, Elmer Henderson, Theodore E. Brown and Paul

NATION'S CAPITAL Senate Gets Eight Bills to Provide Civil Rights

By Louis Lautjer

WASHINGTON— Due to the work involved in reading the 102 pages of opinions rendered by the Supreme Court in the case of the eleven top Communists, an important civil-rights decision of the Supreme Court, handed down the same day, was overlooked.

It was the decision that persons deprived through a conspiracy of their rights to peacefully assemble and petition the Federal Government for a redress of grievances may not sue private individuals for damages in a federal court.

The importance of this decision lies in the fact that it makes virtually meaningless the Act of April 20, 1871, to enforce provisions of the Fourteenth Amendment to the Constitution.

Popularly known as the Ku Klux Klan Act, it was among the last of the reconstruction measures designed to protect the freedom from oppression by their former masters.

It provides civil remedies for conspiracies to deprive by force, intimidation or threat, any person, or class of persons of the equal protection of the laws, or equal privileges and immunities under the law.

The case, which reached the Supreme Court, arose out of a

meeting of the Crescenta-Canada Democratic Club, organized and chartered by the Los Angeles Democratic Central Committee, in the city of La Crescenta on the evening of November 14, 1947, at which foreign policy was to be discussed and a resolution in opposition to the Marshall Plan passed and sent to Washington.

Persons wearing caps of the American Legion broke up the meeting, threatening and assaulting persons in attendance. Five members of the club sued for damages of \$25,000 in the Federal District Court of Los Angeles. The trial court dismissed the complaint stating it does not sanction a suit on the ground that the civil rights against individuals who interfere with federal rights unless the interference is committed by state officer.

The Circuit Court of Appeals at San Francisco reversed the decision. The club members then appealed to the Supreme Court.

While it is true, as the opinion states, that California courts were open to the aggrieved club members and its laws offer redress for their injury and vindication for its rights, it would be unrealistic to say that the same thing would be true in the case of violation of civil rights of colored persons in Alabama, Georgia, Mississippi and South Carolina.

The National Association for the Advancement of Colored People apparently recognized this when it filed a brief as a friend of the court supporting the contention that suits for money damages are triable in federal courts where private individuals interfere with persons in the exercise of federal rights.

In condemning the Ku Klux Klan Act, Justice Robert H. Jackson, who wrote the majority opinion, cited Claude Bowers' "The Tragic Era" as authority to his assertion that the act "was passed by a partisan vote in a highly inflamed atmosphere. Bowers' book is highly prejudicial. Its title indicates that.

The dissenting opinion, written by Justice Harold H. Burton and concurred in by Justice Hugo Black and William O. Douglas, appears to state a view more in accord with the intent of the Congress which enacted the Ku Klux Klan Act.

"Congress certainly has the power to create a federal cause of action in favor of persons injured by private individuals through the abridgement of federally created constitutional rights", said Justice Burton. It seems to me that Congress has done just this."

The decision in this case is just one more in a long line of decisions in which the Supreme Court has gradually whittled away civil rights statutes. Under its interpretation of one section of the civil rights statute, the Justice Department is virtually unable to secure convictions in cases where individuals are the victims of death at the hands of state officers solely because of the malice of the officers.

Eight civil rights bills were introduced Monday by a group of nine Senators headed by Senator Hubert H. Humphrey (D. Minn.)

The bills comprised a comprehensive legislative program carrying out the recommendations of the President's Commission on Civil Rights and the Justice Department.

In introducing the bills, Senator Humphrey pointed to the fact that June 25, the date of introduction, was the first anniversary of the Korean invasion and the tenth anniversary of President Roosevelt's executive order creating the first national Fair Employment Practices Commission.

"It is altogether fitting and proper," Senator Humphrey said, "that on this day of commemoration and anniversary the Senate of the United States make itself again aware of the need to face up to its responsibilities," enact civil rights legislation, and use that "as a weapon, to turn against the enemies of the free world."

The bills were co-sponsored by Senators Benton, Douglas, Lehman, Magnuson, Morse, Murray, Neely, and Pastore, all democrats except Senator Morse. They were as follows:

(1) FEPC — A bill to prohibit discrimination in employment because of race, color, religion, or national origin.

Would Make Lynching Costly

(2) Anti-Lynching — This bill carries out the recommendations of the President's Commission on Civil Rights and makes mob violence committed because of a victim's "race, creed, color, national origin, ancestry, language, or religion" a federal crime.

(3) Anti-Poll-Tax — "Today when the very meaning of freedom is challenged. . . Americans can no longer tolerate this excise on democracy," Senator Humphrey, who traced the development of universal suffrage in America, said.

(4) A bill to strengthen the Federal Government machinery for the protection of civil rights — This bill would create permanent 5-man Commission on Civil Rights in the executive branch of the government; would set up a Joint Congressional Committee on Civil Rights; and would elevate the existing Civil Rights Unit in the Department of Justice to the status of a Division under an assistant

attorney general.

(5) A bill providing relief against certain forms of discrimination in interstate transportation — Following the recent Supreme Court decision declaring segregation and other forms of discrimination in interstate transportation to be illegal, this bill would provide legal remedies for those who are the victims of discrimination.

(6) A bill to strengthen existing civil rights statutes — This bill carries out recommendations by the Department of Justice to strengthen existing civil rights statutes.

(7) A bill to protect the right to political participation — This bill would make it a crime to intimidate or coerce an American citizen or otherwise interfere with his right to vote in primary and special elections as well as general elections for federal office.

(8) Anti-Peonage — Pointing out that the Department of Justice received 85 complaints last year concerning possible peonage and involuntary servitude, Senator Humphrey informed the Senate that this bill was essential to strengthen the anti-peonage laws on the statute books by making an attempt at peonage illegal as well as the action itself.

Civil Rights Inches Ahead

Unquestionably the calling of a federal grand jury investigation to probe into the recent unmerciful clubbing and banishment of Leonard Love from Garvin county is in itself a victory for law enforcement. If the grand jury fails to indict the officers against whom Love complains civil rights is inching ahead in that the federal government is inquiring into this ugly situation. *Black Report*

Calling this investigation in itself is progress for we recall some twenty years ago, when white citizens in Beckham county who ruthlessly exiled all of the Negroes of that political subdivision, and this writer personally made representations to federal authorities, no investigation was made. In 1924 during the Coolidge-Dawes campaign for president, J. A. Rouse, who was working out of the Republican headquarters in Oklahoma City, while attempting to arrange a Republican meeting in Pauls Valley, was accosted on the main street by officers of the law, knocked in the head, thrown in jail and charged with the identical law violation as is Leonard Love. When Rouse, who was reading a newspaper on the main street, was yanked into court, after spending a night in jail, he received the surprise of his life when the sworn officer of the law produced a bottle of whiskey, stating to the court he had found the contraband liquor on the person of Rouse. *Oct. 1-13-51*

One can readily see if the officers whom Love charges faked a liquor charge against him, are not guilty of the crime which Love charges against them, there is at least identical (not similar) relation between the action charged against James Rouse 26 years ago and the allegation charged by Love. There's never a whole lot of smoke without some fire and we suspect the conduct of the Pauls Valley officers will bear federal investigation. *Oklahoma City*

If these officers can get away with false arrest against one Negro, the rights of the other Negroes in Pauls Valley are seriously jeopardized. Then, too, Love's tavern was burned after he fled the town from which he was exiled on pain of death, and made complaint. We think it would be proper for this situation to be also probed. Who, in the judgment of the grand jury, would be interested in destroying Love's property? Design and motive are points from which all law enforcement officers proceed when they investigate crime. We think it is important to determine who were the enemies of Leonard Love in Pauls Valley.

Society organizes formal government for the purpose of protecting the lives, liberty and tranquility of its citizens. People submit to government because of these substantial benefits, which the individual cannot acquire alone. But when government gets so rotten and cancerous that sworn officers of the law forget their oaths and trample roughshod over the fundamental and elementary rights of citizens, organized society has lost its virtue and integrity. Citizens not only should be entitled to a fair trial but to integrity in indictment.

A citizen who dispassionately requests an officer to exhibit a search warrant when he calls at his home or business could in no sense be characterized as interfering with an

officer. This is what we are told happened on the Sunday afternoon when Pauls Valley officers appeared at Love's tavern. We think in such an instance there is elementary use of the right of petition. Although clubbed almost into insensibility, after being handcuffed, Leonard Love alleges he did not raise his hand or voice against the officers. The grand jury at Muskogee will doubtless be all-white in its make-up, but when matters of this type arise grand juries out of the well of human experience should render their decisions based upon the principle that no one is safe unless all citizens are succored.

Former Civil Rights Bills Re-Introduced In Congress

WASHINGTON, D. C. — (NNPA)—The 571 public bills introduced on the opening day of the 82d Congress included two antilynching, two anti-poll tax and one fair employment practice measure.

Representative Emanuel Celler, Democrat, of New York, introduced an antilynching bill and also an omnibus civil rights bill. These measures were identical with ones sponsored by the Administration in the 81st Congress. The omnibus civil rights bills was designed to carry out certain recommendations of President Truman's civil rights committee.

Representative Edith Nourse Rogers, Republican, of Massachusetts, introduced a bill providing for the establishment of an all-colored veterans hospital at the birthplace of Booker T. Washington in Franklin County, Va. This measure is identical with one offered in the 81st Congress, which was opposed by various organizations.

REPRESENTATIVE Errett P. Scrivner, Republican, of Kansas, introduced an anti-poll tax bill.

Representative Adam C. Powell, Democrat, of New York, introduced the following measures:

A bill to amend the Interstate Commerce Act so as to prohibit race segregation in interstate travel.

A bill to prohibit race seg-

regation in the armed forces.

A civil rights bill for the District of Columbia.

An antilynching bill.

A bill relating to the status of certain natives of the Virgin Islands.

An anti-poll tax bill.

An FEPC bill.

Mr. Powell also offered a joint resolution proposing an amendment to the Constitution empowering Congress to grant representation in the Congress for the residents of the District of Columbia and also to give them the right to vote for President and Vice President.

Basically Wrong, Basically Right

The Dixiecrats were basically wrong in their splinter and sunder plan for blocking civil rights legislation. The loyalists were basically right in their fight from within plan. Never has political prophecy been more handsomely vindicated.

Columnist Marquis Childs has said:

"... The Southern Democrats are in control of the Senate. Sitting in the driver's seat, they can decide which road is to be taken. *Wed. 1-17-51*

"For purposes of blocking domestic legislation they do not approve, they can cooperate with the Republicans. On defense and foreign policy they will work with the Northern Democrats and with those Republicans who oppose the Hoover-Kennedy line."

Such testimony abounds. But it would not be true had the Southerners gone to Washington as Dixiecrats instead of Democrats, for they would not dominate the powerful committee levers.

It is true that President Truman and that hot-eyed little screecher, Humphrey of Minnesota, are going through the ritualistic mention of civil rights enactments. But it is as meaningless as Bonner of Wilcox projecting a reapportionment plan.

Nothing so eloquently testifies to the ascendancy of the Southern civil rights view as the fact that the majority leader of the Democratic Party is anti-civil rights. He was elected because the Sparkmans, Hills, Russells, Georges and Stennises were sent to Washington as members of the Democratic Party and were able, as Dixiecrats would not have been, to participate in the Democratic caucus.

It is, of course, possible that President Truman might short-circuit Congress by creating an F. E. P. C. by executive order, as did President Roosevelt.

But even there the dominance in the Senate of Southern Democrats might well block the necessary appropriations to support such a bureau of cops.

Btu the stymying of civil rights legislation does not mean that the present order of things is permanent. Other forces, such as court action, are at work. Younger people in the South—particularly in colleges—are markedly less rigid in their segregation viewpoint than the senior generation. Changes will come.

"Do Nothing" On Civil Rights Congress, Denounced By NAACP

NEW YORK—(ANP)—In a blistering report released Monday, the NAACP and the American Jewish Congress denounced the 81st congress as a "do nothing" body on civil rights and the army for still maintaining segregated troops.

These criticisms were revealed in a 96 page report, "Civil Rights in the United States in 1950: A Balance Sheet of Group Relations," released by Walter White, executive secretary, NAACP, and Mr. David W. Petegorsky, executive director of the congress.

The report also pointed out a number of gains made on the civil rights front during the past year. Probably its most bitter denunciation was against the army. Speaking of integration in the nation's armed forces, the report declared:

"The fighting in Korea brought into sharp focus the importance to our nation, both at home and abroad, of the racial practices of our fighting forces. It revealed that full integration of Negro and white personnel promised soon to be an accomplished fact in the air force and was progressing steadily in the navy.

"It also revealed all too plainly that the army was still putting segregated troops into battle on a fighting front where such racial practices were bound to cost us heavily in the eyes of our allies and to provide material for damaging propaganda by our foes.

"While a directive was issued ordering assignment of personnel to all units without regard to race, and the 10 percent Negro quota on enlistments was formally dropped, there was no indication that the army had yet agreed to seek full integration of Negro and white troops at any time in the future."

The report accused congress of using civil rights as a toy. It denounced the legislators for doing nothing about poll tax or anti-lynching bills, no segregation in the armed forces, or home rule in the District of Columbia.

It declared that the McGrath-Powell federal fair employment practices bill "was gutted in the house of representatives and filibustered to death in the senate."

Civil Rights Congress Fails in Efforts To Get List of the Voters in Westchester

Special to THE NEW YORK TIMES.

WHITE PLAINS, N. Y., May 22—Efforts of the New York Civil Rights Congress to obtain a list of the 265,147 enrolled voters in Westchester County failed temporarily today after the Board of Elections had been informed the organization was on the Attorney General's list of "subversive organizations."

The congress has offices at 23 West Twenty-sixth Street, New York, and is headed by Dashiell Hammett. On April 11 the administrative secretary, Miss Elaine Ross, applied by letter for a copy of the election list. Carl J. Noe, deputy commissioner, replied that it weighed twenty-seven pounds and would be sold for \$19.20 cash across the counter.

Mr. Noe then wrote to the Federal Bureau of Investigation, County Attorney Harry G. Herman and the United States Civil Service Commission. The commission told him the Civil Rights Congress was

on the "subversive" list, so when a \$20.25 check for the list and postage arrived from the organization it promptly returned it.

Soon, however, a request for the list came from the New York State American Labor party, headed by Vito Marcantonio. Mr. Noe scratched his head and said it was a "strange coincidence" that the check from the American Labor party also was for exactly \$20.25, although he had never mentioned any price other than \$19.20.

Mr. Noe said the American Labor party had received one copy of the list free on Feb. 15, the party being duly recognized under the election law, and that he would return today's check and refrain from sending a new copy of the list. The reasons to be given, he indicated, would be that the amount of the check was incorrect, it was not cash, and lists were sold only across the counter.

To Attack Cloture Rule

Hopes Revived For Civil Rights Laws

WASHINGTON, May 30—Hope for congressional action on the civil rights program has been revived here by the announcement that the Senate Rules Committee will hold open hearings on proposals to change the present cloture rule in order to make it easier to break filibusters.

Senator Kenneth Wherry, minority leader, made this announcement to 67 representatives of 31 national organizations who, on call of the National Association for the Advancement of Colored People, held a civil rights conference here, May 22-23.

The Republican leader's announcement followed a conference which the delegates had with him as Representative Joseph Martin, minority leader in the House. During the conference, Senator Wherry told the delegates that he would present their request for scheduling of hearings on rules change to the committee, which was meeting immediately thereafter.

He returned to the delegates while they were in conference with Senator Ernest W. McFarland, majority leader, to announce dramatically the unanimous decision of the Senate Rules Committee to again take up the issue of changing the Senate rule on cloture.

Speaking on behalf of the delegation, Walter White, NAACP executive secretary, told the congressional leaders of both parties that the group considered a change in the rules as the first step in clearing the way for enactment of civil rights bills. He and other members of the delegation cited the impossibility of surmounting the present requirement of a constitutional two-thirds vote to shut off endless debate on measure before the Senate.

Wherry Defends Rule

Senator Wherry, who co-sponsored the so-called compromise rule with Senator Carl Hayden (D.Ariz.), defended the present rule, asserting that it was workable and "all that is necessary is to get the votes."

Truman Declares Party Has Not Abandoned Civil Rights

BY LOUIS LAUTIER

WASHINGTON, D. C. — (NNPA)

The Administration has not abandoned the Fair Deal, the Democratic platform or civil rights, President Truman declared last Thursday.

Asked at his press conference whether it was a correct assumption that his civil rights program has been put aside, Mr. Truman replied categorically that it was not.

The President, at the beginning of the conference, told reporters that there had been a great deal of talk about the Fair Deal, a lot of speculation as to whether he was going back on the Democratic platform, and he wanted to get it straight. He then read the following prepared statement:

"Let's get that straight. This Administration has no intention to abandon any of its principles or programs. We stand behind the Fair Deal and the Democratic platform as much today as ever.

"We do, however, recognize that in an emergency like the present, first things come first, and our defense programs must have top priority.

"There is no reason for anyone to be in doubt about this. I said it as plainly as I could in my State of the Union Message just a few days ago. Let me refresh your memory by reading a few paragraphs from the message:

"In the months ahead, the Government must give priority to activities that are urgent — like military procurement and atomic energy and power development. It must practice rigid economy in its non-defense activities. Many of the things we would normally do must be curtailed or postponed.

"But in a long-term defense effort like this one, we cannot neglect the measures needed to maintain a strong economy and a healthy democratic society.

"The Congress, therefore, should give continued attention to the measures which our country will need for the long pull. And it should act upon such legislation as promptly as circumstances permit."

A reporter remarked that a lot of speculation had arisen because the President did not specifically ask

for repeal of the Taft-Hartley Act.

Mr. Truman replied that he had asked for labor legislation which would clarify the situation so that there would be better labor-management relations in the future than there had been in the past. As far as repeal of the Taft-Hartley Act is concerned, he added, that is it.

'Civil Rights' Again

This paper disapproves the manner in which the president insinuated some widely unpopular domestic matters into the budget message of Monday. It agrees wholeheartedly with the belief that as American citizens we have much to conserve and preserve. Any sort of dictatorial rule is evil. Many of the measures we accept as necessary during a time of great national stress are otherwise most undesirable and should be shucked off as soon as the need for them has passed. We agree with the president that there is a long run to be considered, too. But the president is not justified in inserting into the budget message certain "civil rights" measures he had not previously been able to get through Congress. That can only promote dissension. Nor would such measures serve their end.

Truman and the Southerners

BY JOSEPH AND STEWART ALSOP

FOR FORECASTERS of the congressional climate, the most important single fact about the president's message on the "State of the Union" was an omission. The customary defiant demand for the fair employment practices act and other items in the civil rights program was conspicuously not included. After five years, the president let out the almost ritual passage, which has regularly plunged each new session of Congress into an instantaneous, embittered and time-consuming dog fight.

Some time ago, these reporters indicated in this space that the civil rights program was one of the major sacrifices the president would have to make, if he hoped for congressional cooperation in the world crisis.

At that time and thereafter, many of those closest to the president pressed the same view upon him. Among those in the lead were high State Department officials, who realized that their task would be hopeless if the Southern Democrats were finally alienated from the administration, as they were showing signs of being. The argument for doing the expedient thing was really unanswerable. There was not only no hope at all of passing a solid civil rights program at this session. It was also clear that an attempt to insist on the civil rights program would certainly delay and quite probably actually imperil the far more urgent foreign and defense programs.

Truman yields

TO THIS ARGUMENT, it is now understood Truman has yielded. The moment when he made up his mind was probably a month or so ago, when the official strategists of the Democratic National Committee supported the views already expressed by legislative chieftains, the president's personal advisers, and the State Department officials.

The president has not changed his mind, to be sure, about civil rights. He has merely deferred the issue. But the effect of what he has done has meanwhile been immeasurably increased by another great change in the relationship between the White House and Southerners.

Until very recently, even the middle-of-the-road Southerners were either not consulted at all, or were treated with open hostility by the White House dispensers of patronage and other political good things. All this still means much in the South, and bitter feelings resulted. Now, however, a gentle, emollient shower of collectorships, judgeships and the like has caused the memory of past hard feelings to grow dim. For the first time in recent history, the Democratic Party in Congress, and particularly in the Senate, can thus be regarded as semi-unified on the major issues immediately ahead.

There is still a handful of extremists like Sen. Harry F. Byrd of Virginia, whose enthusiasm for economy has led him to rather complete isolationism. But the great mass of middle-of-the-road Southerners typified by the two most influential men in the group,

Sens. Walter George and Richard Russell of Georgia, are moving again toward active support of the administration foreign and defense policy. This was the group among whom Sen. Robert A. Taft of Ohio and his allies could hope and did hope, even only a month ago, to gain many converts. Since that hope is dead or dying, the congressional outlook is radically altered.

* * *

F. D. R. did the same thing

WITH THE DEMOCRATS voting pretty solidly, and such progressive Republicans as Sens. Wayne Morse of Oregon and Margaret Chase Smith of Maine going along, Sen. Taft can hardly command a majority for his viewpoint on foreign and defense policy, except on minor matters. This is true although the issue has now been squarely posed by the speeches of Sen. Taft, former President Herbert Hoover and Joseph P. Kennedy. For the time being the great measures of the foreign and defense program, although they will be tumultuously debated, must be regarded as pretty safe to pass.

There is no safeguard, however, against real danger. The present program may get by. But the improvement in the congressional outlook has not restored the real power of the government and the country to act quickly and decisively on the world stage. It has not assured a right response to the immense new challenges which the next months may bring. It has not even deprived the Hoover-Taft-Kennedy school of thought of its real asset, which is the want of confidence in the national leadership.

There is only one way to achieve these great ends and to unify the country. In 1943, in comparable but much less dangerous circumstances, Franklin Delano Roosevelt dismissed "Dr. New Deal" and called in "Dr. Win the War" (as he himself put it), in order to organize the nearest equivalent to a national coalition government that our system allows. Ten years later, almost every responsible leader of his own party believes that Harry S. Truman must do the same thing all over again, in order to carry the nation through the new time of peril.—©

Walter White Prods Truman On Civil Rights

Says Negro Leaders Who Backed President Are Tired of Lack of Action

By Arch Parsons jr.

A growing dissatisfaction among Negro leaders who have advised President Truman on his civil rights program and consistently supported that program was expressed yesterday by Walter White, executive secretary of the National Association for the Advancement of Colored People.

Mr. White said the defection concerns Mr. Truman's recent actions—or lack of action—concerning civil rights matters. It may exert a profound influence upon the Democratic party's hopes in the 1952 elections as far as the Negro vote is concerned, Mr. White said.

An open break between the President and his civil rights supporters does not seem to be in the offing yet. Mr. White said that he is fully aware that Mr. Truman faces a hostile Congress on civil rights issues and has been assured that the President has not abandoned the program. He added, however, that the N. A. A. C. P. will support "those who produce."

Lists Truman's Moves

Interviewed at his office at N. A. A. C. P. headquarters, 20 West Fortieth Street, Mr. White, an unofficial White House adviser on such matters for many years, listed the following moves by Mr. Truman as cause for dissatisfaction:

1. The appointment of Millard F. Caldwell, former Governor of Florida, as Federal Civil Defense Administrator and the appointment of Robert Ramspeck, former Representative from Georgia, as chairman of the Civil Service Commission.
2. The reluctance on the part of the President to issue an executive order—lying on his desk for several months—creating an agency similar to the Fair Employment Practices Commission of World War II.
3. The lack of action by the President on a five-point program, presented to him in February by a group of prominent Negroes, which was designed to insure the complete integration of Negroes into the national emergency pro-

gram.

Rift Involves Caldwell

The latest rift involves Mr. Caldwell. The N. A. A. C. P., after a unanimous vote by its board of directors, has been waging an all-out campaign against Mr. Caldwell's appointment since it occurred in January. On Jan. 15, Clarence Mitchell, head of the association's Washington bureau, testified before a Senate committee in opposition to a confirmation of the appointment, but to no avail.

On Thursday, Mr. White made public a telegram from the civil defense administrator inviting Mr. White and "four of your leaders" to an "important civil defense conference" next month at which, the telegram said, President Truman is scheduled to speak. Mr. White rejected the invitation in a telegram which continued the attack on Mr. Caldwell as an ardent supporter of a policy of racial discrimination and segregation.

Yesterday, Mr. White described Mr. Caldwell as "a man who has an unbroken record of hostility towards Negroes as citizens," who would have powers in the time of an emergency "second only to the President." "The whole thing smells to high heaven," Mr. White commented.

Criticizes Ramspeck

The campaign against Mr. Ramspeck has been along similar lines. Recalling that the Civil Service Commission contains its own fair employment practices agency, Mr. White said, "We don't expect to hear much from this agency while Mr. Ramspeck is in office."

Regarding the executive order for an F. E. P. C., Mr. White said that the White House has offered "no satisfactory explanation" for its delay. On March 20, he sent a telegram to the President at Key West asking what had become of the order; further action on the matter is contemplated for next week.

The future of the President's support by Negro leaders "depends upon the White House, not on us," Mr. White said. He said that he saw the President on Feb. 28 and quoted Mr. Truman as saying, "I have a year and ten months left and I plan to continue my fight for civil rights as long as I'm here."

Courier Editorials

82nd Congress Marking Time

WALTER WHITE has strongly denounced the Eighty-second Congress for staging "a willful sit-down strike against civil rights," as the National Association for the Advancement of Colored People and a large number of associated groups prepare to stage an emergency conference on civil rights on May 22 and 23 in the nation's capital.

Mr. White asserts that not one of the forty-one bills and five resolutions introduced in both Houses of Congress has reached the floor for debate, and that this strengthens the need for a national conference to outline strategy and action to get civil rights measures enacted.

The prospect of any of these bills being passed is certainly remote.

The Eighty-second Congress, like its predecessor, seems to have not the slightest intention of enacting such legislation, and it is doubtful if anything the forthcoming conference decides to do will have any effect.

This does not argue that the legislation is unnecessary, but simply that there is insufficient pressure on Congress from the various districts to compel it to act.

The fact that most of the important committees handling this legislation are headed by Southerners opposed to the legislation does not help either.

Obviously, one of the things the forthcoming conference will have to consider is ways and means of so publicizing the need for such legislation that there will be some demand for it from the grass roots areas.

Congressmen are very sensitive to such demands, regardless of their party affiliations or the districts from which they come, but few if any such demands have reached them with regard to the civil rights program.

This indicates that a good public re-

lations job has not been done in many of the areas and districts where it would count, and until a favorable reaction can be aroused, the prospects for enactment of the proposed legislation are rather dim.

Of all of the measures now buried in committees, the least likely to be enacted are those dealing with lynching, the poll tax and fair employment practices.

The thinking public simply does not feel that an anti-lynching law is any longer necessary, regardless of what we may think.

With ten of the fifteen Southern states already having ended the poll tax, there is slight feeling that Federal legislation is needed.

There is so much opposition to a fair employment practices act by business interests, much of organized labor and a large part of the articulate public, that any favorable action can scarcely be expected except by extreme optimists among its proponents.

The prospects seem to be far better for abolition of segregation in interstate transportation, for anti-discrimination in the national health program, and in education and housing, and there is reason to believe that concentration on such measures might prove more fruitful.

Passage of any one of them would help to cut the ground from under the jim-crow opposition, and strategy should be planned with that in view.

It is always wiser to attack where the prospects of victory are brightest and not where the opposition is strongest and our support weakest.

With so many larger issues confronting the Congress, it must frankly be admitted that it will be a miracle if even one of these proposed measures becomes law.

Naturally the picture may change during the election year of 1952, which

will have this in mind when they gather in Washington, D. C.

promises to be bitterly contested on both foreign and domestic issues. In the forthcoming struggle for votes, in a campaign where every vote will count, there is a possibility that some of these less controversial measures may be passed. It is certain that the conferees next week

Civil Rights Program Runs Into Party Member Roadblock

BY LOUIS LAUTIER

WASHINGTON, D. C. — (NNPA) — President Truman's civil rights legislative program last Thursday ran into a roadblock set up by members of his own party.

Three civil rights bills, recommended by the Justice Department, were shunted to the Senate Judiciary Subcommittees on Civil Rights by Senator Pat McCarran, of Nevada, chairman of the Senate Judiciary Committee.

The Nevadan refused to introduce the bills. By sending them to the civil rights subcommittee he virtually killed the measures.

Senator James O. Eastland, Democrat, of Mississippi, is the subcommittee chairman. During the 81st Congress he managed to keep bottled up in his subcommittee two of the bills recommended by the Justice Department.

Other members of the civil rights subcommittee, which is to consider the proposed measures, are Senators Herbert R. O'Connor, of Maryland, and Estes Kefauver, of Tennessee, and William Langer, of North Dakota, and Robert C. Hendrickson, of New Jersey, Republicans.

Eastland can bury the proposed bills by the simple expedient of not calling a subcommittee meeting for the purpose of their consideration.

The three bills McCarran refused to introduce include the Administration's antilynching and omnibus civil rights measures, both of which

were introduced in the 81st Congress by Senator (now Attorney General) J. Howard McGrath.

The third measure was a new proposal. It would amend certain existing Federal statutes so as to make attempts to commit the crimes denounced by those laws criminal offenses.

Senator McCarran made public last Thursday an exchange of correspondence with Peyton Ford, Deputy Attorney General, concerning the proposed legislation.

In a letter of January 30, informing Ford of his decision to refer the three bills to the Eastland subcommittee, McCarran wrote that from an examination of a proposed amendment to the anti-peonage

statute "I got the impression that the bill might be construed to be a Federal prohibition against the operation of chain gangs, and I am wondering if that was the Department's intention."

"So that this and other questions raised by your proposals may have proper consideration," McCarran informed Ford, "I am referring your letters of January 17 and January 18, with enclosures, to the Standing Committee on Civil Rights."

The enclosures were copies of the old McGrath bills and a draft of the proposed amendment to the anti-peonage statute.

Ford's letter of January 17 forwarded to McCarran the proposed amendment of certain sections of the United States Code, designed to make attempts to commit the crimes prohibited by those sections criminal.

The prohibited crimes are holding or returning persons to conditions of peonage, which is service for payment of a debt; arresting persons with the intent of placing them or returning them to conditions of peonage; kidnaping, arresting, or carrying away persons with the intent that they be sold into involuntary servitude or held as slaves.

Other crimes which the proposed amendment would prohibit attempts to commit are inducing persons to go on board vessels or other places with the intent that they be made or held as slaves, and knowingly and willfully holding persons to involuntary servitude or selling persons into any condition of involuntary servitude.

Ford wrote McCarran in his letter of January 17.

"The experience of the Department of Justice has demonstrated the necessity of making attempts to commit the prescribed acts criminal offenses if the statutes are to afford the protection for which they are designed."

"During the fiscal year which ended June 30, 1950, the Department received eighty-five complaints concerning possible peonage and involuntary servitude. Thus far during the current fiscal year thirty-three complaints have been received."

"Many of the complaints involve

merely attempts to subject persons to involuntary servitude, and in such cases, even where physical violence or compulsion to remove from a locality are involved, the Department is powerless to proceed under the statutes the amendment of which is proposed.

"And there being no Federal attempt of general application, that avenue of approach is likewise not available."

The proposed amendment, which McCarran presumably interprets as likely to be applicable to chain gangs, would prohibit the arrest of any person for the purpose of placing him in or returning him to a condition of involuntary servitude.

Mr. Ford said the effect of such a provision would be the broadening of the prohibition against ar-

rest for return to peonage so as to prohibit arrest for placement in or return to involuntary servitude, irrespective of whether a debt exists.

In his letter of January 18, Ford informed McCarran that the Justice Department recommended enactment of the omnibus civil rights bill.

He pointed out that President Truman had several times requested enactment of this legislation, specifically in his special message on civil rights, sent to the Congress on February 2, 1948 and his State of the Union messages of January 5, 1949, and January 4, 1950.

The Justice Department recommended enactment of the Administration's antilynching bill in a letter Ford sent to McCarran on January 26. Mr. Ford pointed out that Mr. Truman had also requested enactment of this legislation on several occasions.

The omnibus civil rights bill would provide for the establishment of a civil rights commission in the Executive branch of the Government, the reorganization of the civil rights activities of the Justice Department and the creation of a joint Congressional committee on civil rights.

It also would amend existing Federal civil rights statutes, protect the right to vote, and prohibit racial segregation in interstate travel.

Under the terms of the antilynching bill, two or more persons would constitute a mob if they commit or attempt to commit any violence upon any person or his property on

account of race, color, religion, or national origin, or exercise or attempt to exercise any power of correction or punishment over any person under arrest, suspected of, charged with, or convicted of any criminal offense, to prevent his apprehension, trial, or punishment by law.

Any such violence or attempt by a lynch mob would be defined as a lynching. Any person who willfully instigates, incites, organizes, aids, abets or participates in a lynching, upon conviction, would be fined not more than \$1,000 or imprisoned for not more than one year, or both.

If the victim dies, the penalty would be a fine of not more than \$10,000 or twenty years in prison, or both.

State and county peace officers, who neglected, failed or refused to make "all diligent" efforts to prevent a lynching or to protect a victim from lynching, or to apprehend and jail the members of a lynch mob would be guilty of a felony and subject to a fine of not more than \$5,000 or imprisonment for not more than five years, or both.

New civil rights action requested

WASHINGTON, Feb. 1 — (P) — A Justice Department request that Congress tighten and broaden federal laws against peonage and involuntary servitude was made public today by Sen. McCarran (D., Nev.)

He also disclosed the department had sent him an anti-lynching bill and a measure to strengthen the government's civil rights machinery and asked that both be enacted.

McCarran, chairman of the Senate Judiciary Committee, said he had referred the department's legislative drafts to a subcommittee on civil rights headed by Sen. Eastland (D., Miss.).

In the past, Eastland and other Southern Democrats have successfully blocked enactment of the administration's civil rights program.

THE JUSTICE Department's latest civil rights recommendations were brought out in an exchange of correspondence between McCarran and Peyton Ford, deputy attorney general. McCarran made it public.

Ford asked that present laws making it a crime to hold persons in, or return them to, peonage or involuntary servitude be amended to apply also to attempts to do so.

CIVIL-RIGHTS CONFERENCE

Congress should concentrate on extending civil rights rather than on restricting them, the Fourth Annual Conference on Civil Liberties demanded last week at the fourth annual meeting in Washington, D. C. Over 100 labor, church and welfare members met to discuss security and freedom that are today threatened by totalitarianism abroad and by intolerance and fear at home.

Speakers at the Conference lashed out against Congressional inaction of civil rights measures, especially the failure to pass fair employment practices legislation. President Truman, in a letter to Conference Chairman E. Raymond Wilson, said he was hopeful that Congress "will not conclude without enacting the civil-rights program into law."

81st Congress Is Condemned On Civil Rights

Jewish and Negro Groups Charge Issue Was Used as a Political Football

The Eighty-first Congress, in session in 1949 and 1950, was criticized for making a political football of the civil rights issue, in a report on civil rights issued yesterday by Dr. David W. Petegorsky, executive director of the American Jewish Congress, and Walter White, executive secretary of the National Association for the Advancement of Colored People.

The report, entitled "Civil Rights in the United States in 1950; a Balance Sheet of Group Relations," accused Congress of failing to take action to eliminate "those patterns of discrimination and segregation which deny to many Americans that equality of opportunity and right which is the essence of our democratic system."

It was noted in the report that "no substantial action" had been taken by the Eighty-first Congress on poll tax or anti-lynching bills, the prohibition of segregation in

Some progress in eliminating discriminatory practices was made in the armed forces, the report stated, but this development did not go far enough, since segregated troops were sent into action in Korea. The Supreme Court was doctrine which had been used in parts of the South to segregate Negroes in schools and railroad trains.

Truman Says He Will Continue To Fight For Civil Rights

WASHINGTON — (ANP) -- Expressing his intention to press for civil rights for American citizens, President Truman said in effect last week that the domestic problems of this country should not be neglected during an international crisis.

In a message sent to E. Raymond Wilson, chairman of the Fourth Annual conference on Civil Liberties, the President stated that he would continue to urge congress "with all the vigor I possess" to enact "the civil rights program presented in 1948." This program proposed the elimination of the poll tax, the outlawing of lynching and the end of discrimination in employment.

The question has been asked if America can assure security and at the same time preserve individual liberties. In reply to this the President said, "I have always been confident that we could and I remain unshaken in that belief."

The President stated he was not among those who take the view that in times of stress all efforts for the betterment of people at home should be shelved.

"Tremendous gains" have been made in education, employment, housing and other fields since his Civil Rights report was made in 1947, said Mr. Truman.

In a speech before the conference, Sen. Herbert H. Lehman (D., N. Y.) took the same stand that the President did on the necessity of providing civil rights for all citizens of this country.

If civil liberties are abridged under the guise of military necessity this nation will lose the very principles it is fighting to preserve, said the New York senator.

Many of the other speakers who appeared on the first day of this two-day conference made the same warning.

In his speech before the dinner meeting of the conference, Sen. Lehman said, "If the United States should lose its leadership, it would be because we have abandoned morals and principles in a naked struggle to survive in a slave world where survival alone

would not be worth much."

He warned the conservatives that they must join hands with the liberal in the fight against abridgment of civil liberty under the guise of military necessity.

Walter White, executive director of the NAACP pointed out that the courts, particularly the Supreme court, have been far more enlightened and courageous than the congress in the field of civil rights.

As a result of court order more than a thousand Negroes are now attending state universities in 11 southern states, a million Negroes have voted in southern states and the salaries of negro teachers have increased more than three million dollars said White.

He warned that continuation of segregation and discrimination in this country is costing America its friends in Asia, Latin America and Africa, the source of such strategic materials as magnesium, uranium, tungsten and rubber.

Patterson Trial Due To Resume Monday

Additional testimony by one or more prosecution witnesses is scheduled for Monday in the District Court contempt of Congress trial of William L. Patterson, executive secretary of the Civil Rights Congress.

Patterson, colored, is being tried on charges of failing to produce certain records of his organization before the House Committee on Lobbying Activities last August.

The trial moved along smoothly yesterday afternoon when it was resumed after having been recessed from Thursday the opening day. On Thursday, Judge Alexander Holtzoff warned one of the three defense attorneys, George W. Crockett of Detroit, to confine his opening statement to issues in the case.

William Earl Griffin, who was clerk of the committee at the time it was conducting its inquiry, resumed the stand yesterday

day to tell further of the committee hearing and of Patterson's appearance before it.

Another witness yesterday was Ralph E. Roberts, clerk of the House, who said he would bring a transcript of the proceedings to the court.

On Thursday, another defense attorney, former Representative Vito Marcantonio, American Laborite of New York, declared an earlier record of the committee proceedings taken to court had been "doctored."

The case is being tried before a jury of six men and six women.

Supreme Court Rulings Limit Force of Civil Rights Laws

By Chalmers M. Roberts

Post Reporter

Three related Supreme Court decisions yesterday made clear the limited use to which the Federal Government can put post-Civil War laws in prosecuting civil rights cases.

The decisions in some respects limited, and in others broadened, the old statutes' application. But they made it even clearer that only congressional action can put any real teeth into the old laws—the court is too closely split for "judicial legislation."

The second case decided yesterday, the key case of the three, produced one of the most curious splits in the court's recent history. Speaking for the court was Justice Felix Frankfurter, joined by Chief Justice Fred M. Vinson and Justices Robert H. Jackson and Sherman Minton. The minority spokesman was Justice William O. Douglas, joined by Justices Stanley Reed, Harold H. Burton and Tom C. Clark.

Split in Fact, 4 to 4

The ninth justice, Hugo L. Black, joined the Frankfurter group to produce a 5-to-4 ruling, but his grounds were completely different. Thus on the controversial issues in the key case, the court was, in fact, split 4 to 4.

All three cases grew out of a 1947 decision by the Lindsley Lumber Co. of Miami, Fla., to hire Jay G. Williams, a detective agency operator, to find out who was stealing from its yards. Williams had a special police officer's card. Engaged with him in the investigation were two of his employees, John S. Bombachi and Joseph V. Perry, and a Miami policeman,

Charles R. Ford, assigned to aid the investigation.

The justices agreed that the four joined in using what Frankfurter called third-degree methods and what Douglas termed brutal methods to obtain confessions from other Negroes. A rubber hose, a pistol, a sash cord and bright lights all were used over a four-day period.

Williams was tried and found guilty under one of the post-Civil War statutes, which declares that it is a crime "under color of any law" to deprive "any inhabitant of any State" of "any rights, privileges or immunities secured or protected by the Constitution or laws of the United States..."

In this first case, Justice Douglas, speaking for the court, declared that the case was "the classic use of force to make a man testify against himself" and that "the result is as plain as the rack, the wheel and the thumb screw... were used to compel the confession." Hence, he argued, the four Negroes had been deprived of the constitutional right to be tried by due process of law.

Conviction Is Upheld

Douglas was joined by Vinson, Reed, Burton and Clark to form a majority. But Black, Frankfurter, Jackson and Minton dissented. The result was that the Williams conviction stands.

The second case involved Williams and his three associates in the beatings. The Justice Department's civil rights section—which brought all three cases under the old laws—prosecuted the four and they were convicted under a conspiracy law.

This law, likewise passed dur-

ing reconstruction days after the Civil War, makes it a crime for two or more persons to conspire "to injure" a citizen in the exercise or enjoyment of "any right or privilege secured to him by the Constitution or laws of the United States." The indictment said the four had conspired to injure the Negroes in their exercise of rights protected by the Fourteenth (due process of law) Amendment to the Constitution.

All four men were convicted in the trial court, but the United States Court of Appeals reversed, and the Supreme Court agreed yesterday with the reversal in the unusual 5-to-4 split, with Black providing the fifth vote.

For the court, Frankfurter delved into the confused legislative history of the civil rights laws of the 1860s and 1870s (the bulk of them long ago declared unconstitutional) and concluded that the law under which the men were tried "applies only to interference with rights which arise from the relation of the victim and the Federal Government, and not to interference by State officials with rights which the Federal Government merely guarantees from abridgement by the States" in the Fourteenth Amendment.

Frankfurter said that if there was a conspiracy under color of State law, it could be prosecuted under the section already used against Williams alone.

Calls Reasoning "Strange"

But Douglas, in the second case, declared the two civil rights statutes were "designed for the protection of great rights won after the Nation's most critical internal conflict." He called Frankfurter's reasoning "strange" and called the court's ruling a "drastic restriction," a view shared in part, at least, last night by Justice Department attorneys.

Douglas, too, cited the post-Civil War debates in Congress to support his view, and he claimed the evidence was on his side, not Frankfurter's.

Black, long considered the Court's staunchest supporter of civil rights, did not get into the meat of the controversy at all. He merely voted to uphold the appeals court's reversal because all except Williams had been acquitted in still another trial involving one of the post-Civil War statutes. Hence, he said, the Government should have been barred from bringing this case because it amounted to a "relitigation" under the doctrine of "res judicata" (a matter already adjudicated). Williams, he said, could not "conspire with himself."

new legislation are close to zero.

guilty when a case can be made that they lied in order to win freedom.

by the net of the three cases, however, appeared to be that the post-Civil War laws have only limited value in civil rights prosecutions. Administration efforts to broaden and strengthen the laws have always run into a Southern filibuster and prospects today for

The third of the related cases decided yesterday involved Williams, Ford, Bombaci and Andrew Frankfurter dissented this time. The Government as the Court split 7 to 2. The result here will let the Government go ahead with the perjury trial. The decision clarified the perjury law in all cases, not just those involving civil rights, and it apparently will permit prosecutions of persons found not guilty trial amounted to double

Bill Would Make Some Segregation Federal Crime

By the United Press

The Justice Department asked Congress yesterday to make it a Federal crime to segregate Negroes on inter-State trains and buses or to bar them from voting in any general or primary congressional election.

As a basis for action, the department sent House Speaker Sam Rayburn a "civil rights" bill introduced in the last Congress by Chairman Emanuel Celler (D., N. Y.) of the House Judiciary Committee.

The measure was blocked by solid opposition from Southern Democrats in the last Congress.

Deputy Attorney General Peyton Ford said the Justice Department "recommends" the bill. He noted that President Truman has asked for its enactment "on several occasions."

Truman avows intent to press for his civil rights program

WASHINGTON, March 1 (AP)—President Truman said today he intends to continue urging with "all the vigor I possess" the enactment of his civil rights program.

"The program and bills to make it law are before the current Congress," Mr. Truman said in a letter to the National Civil Liberties clearing house. "Making appropriate allowances for the extra burdens on the Congress in dealing with the aggravated problems of defense and mobilization of our economy, I am hopeful that the 82nd Congress will not conclude without enacting the civil rights program into law."

The president said the program he had presented to Congress in February, 1948, "will add greater substance to the American tradition of equality and equal opportunity" by "strengthening the privileges of citizenship."

Major portions of the civil rights program call for Federal statutes to outlaw lynching, the poll tax and discrimination against minority groups in employment. Congress has refused to enact such legislation in the past and prospects are not bright this session.

TRUMAN PLEDGES CIVIL RIGHTS FIGHT

Tells Conference on Liberties He Hopes Present Congress Will Enact Program

Feb. 3-2-51

By BESS FURMAN

Special to THE NEW YORK TIMES.

WASHINGTON, March 1—President Truman said in a message read tonight to the fourth annual Conference on Civil Liberties that he would continue to urge his civil rights program with all vigor.

"Making appropriate allowance for the extra burdens on the Congress in dealing with the aggravated problems of defense and the mobilization of our economy," said the President, "I am hopeful that the Eighty-second Congress will not conclude without enacting the

civil rights program into law."

Major portions of the program call for Federal statutes to outlaw lynching, the poll tax and discrimination against minority groups in employment. Although Congress has refused to enact such legislation in the past, Mr. Truman claimed "tremendous gains for civil rights," in education, housing, employment, use of public accommodations and recreation since 1947.

He asked the cooperation of the more than sixty national organizations represented in the conference with his newly-formed Commission on Internal Security and Individual Rights, headed by Fleet Admiral Chester W. Nimitz, U. S. N., retired.

Lehman Urges Unity in Fight

Senator Herbert H. Lehman, Democrat of New York, urged at tonight's dinner session that liberals and conservatives in both parties "join hands in the fight against abridgement of civil liberty under the guise of military necessity."

Two speakers for the National Association for the Advancement of Colored People, Walter White, executive secretary, and Clarence Mitchell, legislative representative, said they saw no hope for the civil rights program with the present composition of Congress. They urged pressing for further progress through executive orders and court decisions.

The conference unanimously voted approval of a plan whereby the President would immediately create by executive order a Fair Employment Practices Committee with enforcement powers as a step in the effective prosecution of the defense effort.

This action followed a report by Mr. Mitchell that four hundred jobs had been given out in a defense industry in Paducah, Ky., "and not one given to a colored person."

Mr. Mitchell said that at a conference held with Frank C. Pace Jr., the Secretary of the Army, yesterday Senator Hubert H. Humphrey, Democrat of Minnesota, had warned that the Army must accord the same equality already given by the Navy and Air Force and had also told of a new bipartisan bill just introduced by himself and seven others to extend

the protection of Federal laws to Negro soldiers in uniform.

Senator Humphrey's office confirmed this and said there had been "cases where Negro-Americans in uniform were set upon as local police officers stood by."

Text of Truman Rights Letter

WASHINGTON, March 1 (AP)—Following is the text of a letter from President Truman to E. Raymond Wilson, chairman of the National Civil Liberties Clearing House:

February 27, 1951.

Dear Mr. Wilson:

This assemblage of the non-Governmental organizations of America, concerned with the protection of civil liberties and the strengthening of the American democratic way of life, meets at a critical time in our history when our democratic institutions are put to their greatest test. The threat is to our very existence, upon which the liberties of all of us depend. The question is, can we assure our security and at the same time preserve individual liberties?

I have always been confident that we could, and I remain unshaken in that belief. I have every reason to believe that the organizations represented and the individuals present at this conference will give their cooperation and support to the newly formed commission, which must concern itself with Governmental and private action from top to bottom.

I am not among those who take the view that in times of stress we must shelve all efforts and programs for the betterment of our people. The maxim, first things first, is entitled to its due; but it cannot stay the inexorable drive and inevitable progress of humanity in ridding itself of the inequalities and imperfections of our social and economic life.

In this connection, it is important to note the tremendous gains for civil rights that have been achieved in the past three difficult years, since the filing of the report of October, 1947, by the President's Committee on Civil Rights, in our educational systems, in employment, in housing, in the use of public accommodations, in recreation, and in the exercise of the attributes of citizenship. These gains have resulted from both the voluntary action of the people and the action of agencies of Government, administrative, judicial, and legislative.

However, it is equally important to note that whereas many state legislatures and local governing bodies have been in the forefront of this action for improvement, the Congress has as yet failed to enact the principal points of the civil rights program which I first recommended to it in February, 1948.

The program and bills to make it law are before the current Congress. Making appropriate allowance for the extra burdens on the Congress in dealing with the aggravated problems of defense and the mobilization of our economy, I am hopeful that the Eighty-second Congress will not conclude without enacting the civil rights program into law.

I propose to continue to urge the program with all the vigor I possess. By strengthening the privileges of citizenship, it will add greater substance to the American tradition of equality and equal opportunity. It is another step in solidifying the unity of our people.

I extend my greetings to you, the participants in the fourth annual Conference on Civil Liberties, and trust that your deliberations will be fruitful.

Very sincerely yours,

HARRY S. TRUMAN

Truman Fights With 'All Vigor' For Civil Rights

Tells Civil Liberties Group He Will Continue to Urge Passage at This Session

Feb. 3-2-51

WASHINGTON, March 1 (AP)—President Truman said today he intends to continue urging with "all the vigor I possess" the enactment of his civil-rights program.

"The program and bills to make it law are before the current Congress," Mr. Truman said in a letter to the National Civil Liberties Clearing House. "Making appro-

reason to believe that the organizations represented and the individuals present at this conference will give their co-operation and support to the newly formed commission, which must concern itself with governmental and private action from top to bottom.

"I am not among those who take the view that in times of stress we must shelve all efforts

annual conference here today.

Truman's Letter

The complete text of his letter:

"Feb. 27, 1951.

"Dear Mr. Wilson:

"This assemblage of the non-governmental organizations of America, concerned with the protection of civil liberties and the strengthening of the American democratic way of life meets at a

and programs for the betterment of our people. The maxim, first things first, is entitled to its due; but it cannot stay the inexorable drive and inevitable progress of humanity in ridding itself of the inequalities and imperfections of our social and economic life. In this connection, it is important to note the tremendous gains for civil rights that have been achieved in the last three difficult years, since the filing of the report of October, 1947, by the President's Committee on Civil Rights, in our educational systems, in employment, in housing, in the use of public accommodations, in recreation and in the exercise of the attributes of citizenship. These gains have resulted from both the voluntary action of the people and the action of agencies of government, administrative, judicial and legislative.

Notes Congress Delay

"However," it is equally important to note that whereas many state legislatures and local governing bodies have been in the forefront of this action for improvement, the Congress has yet failed to enact the principal points of the civil-rights program which I first recommended to it in February, 1948. The program and bills to make it law are before the current Congress. Making appropriate allowance for the extra burdens on the Congress in dealing with the aggravated problems of defense and the mobilization of our economy, I am hopeful that the Eighty-second Congress will not conclude without enacting the civil-rights program into law. I propose to continue to urge the program with all the vigor I possess. By strengthening the privileges of citizenship, it will add greater substance to the American tradition of equality and equal opportunity. It is another step in solidifying the unity of our people.

"I extend my greetings to you, the participants in the Fourth Annual Conference on Civil Liberties, and trust that your deliberations will be fruitful.

"Very sincerely yours,
"HARRY S. TRUMAN."

Civil Rights Program Runs Into Party Member Roadblock

BY LOUIS LAUTIER

WASHINGTON, D. C. — (NNPA) — President Truman's civil rights legislative program last Thursday ran into a roadblock set up by members of his own party.

Three civil rights bills, recommended by the Justice Department, were shunted to the Senate Judiciary Subcommittee on Civil Rights by Senator Pat McCarran, of Nevada, chairman of the Senate Judiciary Committee.

The Nevada refused to introduce the bills. By sending them to the civil rights subcommittee he virtually killed the measures.

Senator James O. Eastland, Democrat, of Mississippi, is the subcommittee chairman. During the 81st Congress he managed to keep bottled up in his subcommittee two of the bills recommended by the Justice Department.

Other members of the civil rights subcommittee, which is to consider the proposed measures, are Senators Herbert R. O'Connor, of Maryland, and Estes Kefauver, of Tennessee, and William Langer, of North Dakota, and Robert C. Hendrickson, of New Jersey, Republicans.

Eastland can bury the proposed bills by the simple expedient of not calling a subcommittee meeting for the purpose of their consideration.

The three bills McCarran refused to introduce include the Administration's antilynching and omnibus civil rights measures, both of which were introduced in the 81st Congress by Senator (now Attorney General) J. Howard McGrath.

The third measure was a new proposal. It would amend certain existing Federal statutes so as to make attempts to commit the crimes denounced by those laws criminal offenses.

Senator McCarran made public last Thursday an exchange of correspondence with Peyton Ford, Deputy Attorney General, concerning the proposed legislation.

In a letter of January 30, informing Ford of his decision to refer the three bills to the Eastland subcommittee, McCarran wrote that from an examination of a proposed amendment to the anti-peonage statute "I got the impression that the bill might be construed to be a Federal prohibition against the operation of chain gangs, and I am wondering if that was the Department's intention.

"So that this and other questions raised by your proposals may have proper consideration," McCarran informed Ford, "I am referring your letters of January 17 and January 18, with enclosures, to the Standing Committee on Civil Rights."

The enclosures were copies of the old McGrath bills and a draft of the proposed amendment to the anti-peonage statute.

Ford's letter of January 17 forwarded to McCarran the proposed amendment of certain sections of the United States Code, designed to make attempts to commit the crimes prohibited by those sections criminal.

The bill prohibited crimes are holding or returning persons to conditions of peonage, which is service for payment of a debt; arresting persons with the intent of placing them or returning them to conditions of peonage; kidnaping, arresting, or carrying away persons with the intent that they be sold into involuntary servitude or held as slaves.

Other crimes which the proposed amendment would prohibit attempts to commit are inducing persons to go on board vessels or other places with the intent that they be made or held as slaves, and knowingly and willfully holding persons to involuntary servitude or selling persons into any condition of involuntary servitude.

Ford wrote McCarran in his letter of January 17.

"The experience of the Department of Justice has demonstrated the necessity of making attempts to commit the prescribed acts criminal offenses if the statutes are to afford the protection for which they are designed.

"During the fiscal year which ended June 30, 1950, the Department received eighty-five complaints concerning possible peonage and involuntary servitude. This is during the current fiscal year thirty-three complaints have been received."

"Many of the complaints involve merely attempts to subject persons to involuntary servitude, and in such cases, even where physical violence or compulsion to remove from a locality are involved, the Department is powerless to proceed under the statutes the amendment of which is proposed.

"And there being no Federal attempt of general application, that avenue of approach is likewise not available."

The proposed amendment, which

McCarran presumably interprets as likely to be applicable to chain gangs, would prohibit the arrest of any person for the purpose of placing him in or returning him to a condition of involuntary servitude.

Mr. Ford said the effect of such a provision would be the broadening of the prohibition against arrest for return to peonage so as to prohibit arrest for placement in or return to involuntary servitude, irrespective of whether a debt exists.

In his letter of January 18, Ford informed McCarran that the Justice Department recommended enactment of the omnibus civil rights bill.

He pointed out that President Truman had several times requested enactment of this legislation, specifically in his special message on civil rights, sent to the Congress on February 2, 1948 and his State of the Union messages of January 5, 1949, and January 4, 1950.

The Justice Department recommended enactment of the Administration's anti-lynching bill in a letter Ford sent to McCarran on January 26. Mr. Ford pointed out that Mr. Truman had also requested enactment of this legislation on several occasions.

The omnibus civil rights bill would provide for the establishment of a civil rights commission in the Executive branch of the Government, the reorganization of the civil-rights activities of the Justice Department and the creation of a joint Congressional committee on civil rights.

It also would amend existing Federal civil rights statutes, protect the right to vote, and prohibit racial segregation in interstate travel.

Under the terms of the antilynching bill, two or more persons would constitute a mob if they commit or attempt to commit any violence upon any person or his property on account of race, color, religion, or national origin, or exercise or attempt to exercise any power of correction or punishment over any person under arrest, suspected of, charged with, or convicted of any criminal offense, to prevent his apprehension, trial, or punishment by law.

Any such violence or attempt by a lynch mob would be defined as a lynching. Any person who willfully instigates, incites, organizes, aids, abets or participates in a lynching, upon conviction, would be fined not more than \$1,000 or imprisoned for not more than one year, or both.

If the victim dies, the penalty would be a fine of not more than \$10,000 or twenty years in prison, or both.

State and county peace officers, who neglected, failed or refused to make "all diligent" efforts to prevent a lynching or to protect a victim from lynching, or to apprehend and jail the members of a lynch mob would be guilty of a felony and subject to a fine of not more than \$5,000 or imprisonment for not more than five years, or both.

Truman Pledges Leaders Action

By VENICE T. SPRAGGS

WASHINGTON — In the face of growing dissatisfaction rising out of his continued delay in issuing an Executive Order barring racial discrimination in employment by holders of defense contracts, President Truman sent a letter to the Fourth Annual Conference on Civil Liberties

convening here in which he assured representatives of more than 100 organizations that he intends to "go to the limit of his power to effect the enactment of civil rights program."

The President's assurance followed on the heels of a White House conference in which a 12-member delegation representing a wide cross-section of Negro organizations and opinion proposed a six-point program to wipe out racial

discrimination in the main areas of our national life where the President has the power to intervene.

Specifically, the group urged Truman:

1. To use his power and influence to abolish, immediately, racial segregation in the nation's capital.
2. To appoint qualified Negroes on the administrative and policy-making levels of government.
3. To integrate Negroes in all new agencies that are being established and will be established as a result of the present emergency.
4. To appoint Negroes more widely in the foreign and diplomatic service of the country.

Ask Executive Order

5. To issue an Executive Order guaranteeing the maximum use of all manpower in all production efforts irrespective of color, race, or national origin in the defense emergency and provide an adequate machinery for its enforcement.
6. To abolish once and for all racial segregation of Negro soldiers in the United State Army.

To work for the implementation of the program which they proposed to the President, Randolph said a committee would be appointed to work with the various agency heads with the hope of getting some of their recommendations adopted. He made it clear, however, that "pressure will be used" if necessary.

In line with the delegation's request that the President appoint someone with whom they could work, David Niles, White House assistant in charge of minority group affairs, was designated. The President left the door open for further conference on the group's proposals if it becomes necessary, Randolph said.

Those participating in the White

House conference in addition to Randolph were Bishop William Y. Bell of the Colored Methodist Episcopal church, South Boston, Va.; Mrs. Mary McLeod Bethune, president-emerita, National Council of Negro Women, Washington, D. C.; J. Robert Booker, president National Bar Association, Little Rock, Ark.; Dowdall Davis, president, Negro Newspaper Publisher's Association, Kansas City, Mo.; Lester Granger, executive secretary, National Urban League, New York City.

Elmer Henderson, director, American Council on Human Rights, Washington, D. C.; Charles S. Johnson, president, Fisk University, Nashville, Tenn.; Benjamin E. Mays, president, Morehouse College, Atlanta, Ga.; Channing H. Tobias, director, Phelps - Stokes Foundation, New York City; Willard S. Townsend, president, United Transport Service Employees of America, CIO, and Walter White.

Randolph said the group is now trying to arrange conferences with Secretary of State Acheson, Defense Mobilizer Wilson and Secretary of Defense Marshall.

Wilson. Marshall And Acheson Next

A. Phillip Randolph said this week the 12-member delegation that conferred with President Truman is seeking to schedule talks with several other top government officials. They are Secretary of State Acheson, Defense Mobilizer Wilson and Secretary of Defense Marshall.

cial discrimination in the main areas of our national life where the President has the power to intervene.

The delegation, headed by A. Phillip Randolph, international president of the Brotherhood of Sleeping Car Porters, A. F. D., argued that implementation of their recommendations would bring about the maximum utilization of the productive skills of Negro manpower at home, and considerably weaken Communist propaganda abroad.

Hint Wilson Balks

For several months now, Truman has been expected momentarily to issue the FEPC order. Insiders say it is being blocked by Defense Mobilizer Charles Wilson, despite his recent promise to Walter White, NAACP executive secretary, that he would press for its issuance.

While members of the delegation

THEY'RE STILL LEGAL IN 1951:

13 Negro Legislators helped enact 1872-73 RIGHTS LAWS

13 Tan Legislators Helped Enact 1872-73 Rights Laws

BALTIMORE—A 74-year-old retired State Department employee and amateur historian, Arthur J. Smith, 1530 E. Monument St., has delved into his voluminous sheaves of historical data and unearthed the startling information that colored persons were members of the legislative body passing the Anti-Discrimination Acts of 1872 and 1873.

The acts of Thursday were declared still legal and effective by the Washington Municipal Court of Appeals, reversing the ruling of a lower court.

According to information furnished by Mr. Smith, colored members of the legislative bodies of Washington from 1871 to 1875, under the administration of President U. S. Grant were:

Fred Douglass Among Solons
Territorial Delegate by President Grant 1871-1872

Solomon G. Brown, House of Delegates—1871-1874

Lewis H. Douglass, Member of Legislative Assembly from 1871-1872

John A. Gray, Member of Legislative Assembly from 1871-1872

Adolphus Hall, Member of Legislative Assembly from 1871-1872

James A. Handy, Member of Legislative Assembly 1871-1872

Henry Piper, House of Delegates 1872

O. S. B. Wall, House of Delegates—1872

Josiah T. Settle, Reading Clerk, House of Delegates, 1872

John H. Brooks, Member of Legislative Assembly from 1872 to 1874.

Thomas W. Chase, House of Delegates—1873

Sidney W. Herbert, House of Delegates—1873

J. W. Taliferro, House of Delegates—1873

John H. Brooks, House of Delegates—1874

Albert H. Underwood, House of Delegates—1874

"Acres" of Information

Mr. Smith, when interviewed by the AFRO, proudly displayed the "acres" of information he has obtained concerning colored people which line the shelves of his library and overflow into seven bookcases and a three-drawer filing cabinet.

Most of the material he has obtained through his own patient

meticulous research and the rest he has secured from the better public libraries and interested friends.

The balding, bespectacled historian, who completed 41 years of unobtrusive service with the Stage Department, is very voluble about his hobby. He says:

"I began my collection in 1915, started by a desire to know more about my people. I suppose, too, that my training and experiences I underwent as an employee of the department also had something to do with it."

"I met all of the famous personages from just about every country in the world and many of them were more informed on the history, traditions and culture of my people than I. I accepted that fact as a challenge and, as a result, have amassed quite a bit of interesting material."

What Mr. Smith fails to mention, however, is the years of sweat, tears, fatigue and money that must have gone into the compilation of a collection such as his.

Yellowed, Tattered Papers

Many of the papers are yellowed and, where tattered, are neatly mended with transparent tape and in cases where copies had to be made, carefully typed and bound.

The amazing thing about the man is his apparent ability to "reel off" interesting anecdotes about any personality you might casually come across while thumbing through his papers.

A good example of this was a picture I unearthed under two books which showed a group of colored policemen who served in Washington in 1871. "One of those policemen," artfully smiled the old codger, "actually arrested General Grant while he was President."

"You see, General Grant loved to ride galloping horses along. One

day, while furiously galloping down Pennsylvania Avenue a policeman jumped out in the street, grabbed the bit of the horse and brought it to a halt.

President His Prisoner

"Just as he started to unleash a tirade against the 'speeder,' he recognized it was the President and didn't know what to say. Grant was a great man though, he commended the man for doing his duty. Later, he promoted him to the first mounted patrolman of his race in Washington."

When queried as to his method of getting information, Mr. Smith said:

"Most of my information comes from just plain digging and any student knows what that word implies. There's really no easy way to get a historical collection about our race. It's a slow, tortuous, painstaking process."

"Because it's so slow, you have a chance to really absorb the material you gather and thereby appreciate it. That, in itself, is a major education."

Frequents Old Book Stores

Because he is now a widower, his wife died in 1942, this distinguished little man spends most of his time traveling and reports that when he "hits" a strange town, the first place he heads for is an old book store.

Many of the places he has visited are small towns because he

feels that is where the buried treasure lies. When he comes across a pile of dusty old books, he describes it as a feeling similar to a "hungry horse in a stable."

To appreciate the man's thoroughness you must realize the many times he pores over various newspapers, looking assiduously for material about his race. Nothing chagrins him more, however, than a statement, reputed to be a fact, which shows lack of research.

He Chastises Newspapers

He has often written to newspapers, admonishing them for this practice, and as a result has started contributing to various papers interesting facts about little known personalities of the race.

As a result of an article he wrote to a Philadelphia paper about William H. H. Hart, the first colored District Attorney in Washington, he received a very interesting communication from a Miss Virginia Smith, no relation, in which she

divulged Mr. Hart had been her uncle and she was overjoyed at finding the information about his achievements in the newspaper.

This correspondence continued and Miss Smith, a piano stylist, was then entertaining on the coast.

However, she became very interested in Mr. Smith and what he had written about his collection and so asked her agent to arrange a booking in Baltimore so she could meet him personally.

Meeting Arranged

This was arranged at the Comedy Club and when the very attractive entertainer reached Baltimore, she immediately got in touch with Mr. Smith and greeted him like a long-lost uncle.

However, the historian makes haste to warn all aspiring amateur historians that reward is not always as sweet.

In conclusion, Mr. Smith says:

"I don't want to have to go to the cemetery with all knowledge I have accumulated gone to waste. Anybody, and I repeat, anybody, who feels he might be genuinely interested in learning facts about our people, please contact me and I will try to help you."

Everyone would do well to remember Arthur W. Smith when any dispute about facts or problems of the colored race occur. If ever there was a reliable authority on this subject, Mr. Smith would meet every criteria.